Ibn Khaldun Center for Development Studies

Civil Society and Democratization in the Arab World

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TABLE OF CONTENTS

PART-I: COUNTRY REPORTS

PART-II: ON MINORITIES



Introduction

Definitions and Criteria :

This survey is principally concerned with political systems in the Arab World insofar as they relate to freedom and human rights. The concept of freedom we address here is to be understood in its narrow political sense, which is the value and goal of genuine democratic regimes. A survey of democratic freedom is often assumed to entail a survey of human rights. But these two concepts are distinct despite the considerable overlap between them. A free majority in a democratic system may very well deny basic human rights to a particular minority or some specific individuals or groups within society. Indeed it is this potential danger within a free democracy, which led de Tocqueville to warn against the "tyranny of the majority." For example, if politically active Muslim fundamentalists are arrested for their ideas and mistreated in prisons this would constitute a clear violation of their human rights, yet this, in a free democratic society, may be passively approved of by the majority of the population; nor does this violation necessarily impair freedom of expression or political democracy for the vast majority.

The core definition of freedom adopted in this survey is that people are free to the extent that they actually have a choice in determining the nature of their political and socio-economic systems. Thus a system that imposes a "social good," which may even be a factor that serves democratic values—such as, for example, reducing large inequalities in wealth—is in fact undemocratic, since the policy was not freely chosen through democratic mechanisms.

Free contested elections are the sine qua non of a democracy, but a focus on the characteristics of the voting process and the turnout at the polls is of little meaning without the civil liberties that must complement these elections. The purpose of this survey then is to give a general picture of the political rights and civil liberties in each of the 19 Arab countries considered.*

Political Rights. In a democracy these rights involve: (i) the right to participate
Meaningfully in the political process through fair and free contested

* Three Arab countries are omitted, principally for lack of data: Djibouti, Somalia, and the Lunar Islands.

elections; (ii) universal suffrage; (iii) the right of all adults to compete for public office; (iv) that elected representatives (legislatures) be able to legislate, and hence have a decisive voice in public policy, in addition to scrutinizing government performance and holding it accountable; and most importantly (v) the right to change the government, and the means to do so by established legitimate processes.

Civil Rights. These are basically (i) the right to free expression—including most importantly the freedom of the press and the broadcast media; (ii) the freedom to organize and demonstrate, (iii) the freedom of association; (iv) the freedom of religion; and (v) the freedom from arbitrary arrest and detention and from torture or other forms of abuse—and its corollary. (vi.) the right to a fair trial by an independent judiciary.

The combination of these political rights and civil liberties clearly lie at the heart of democracy, but a genuine functioning democratic system requires additional institutional elements and conditions: The first is a democratic constitution that is adhered to. For no matter how fair and free the elections, and no matter how large the government's majority, democracy must have a constitution that itself is democratic—in that it respects fundamental liberties—and the elected government must rule within the confines of that constitution, and in conjunction with a complex set of other institutions, within both the state and civil society, that help to ensure accountability. The second is the Opportunity for the development of a robust and critical civil society that helps check the state and constantly generate alternatives. For such civil society alternatives to be aggregated and implemented Political society, especially political parties, should be allowed unfettered relations with civil society.

An authoritarian system was defined by Linz as "one in which there is limited political pluralism—without elaborate and guiding ideology (but with distinctive mentalities), without intensive or extensive political mobilization and in which the leader (or a small group) exercises power within formally ill-defined limits, but actually quite predictable ones." Although the literature is replete with other definitions, this one serves our purpose well enough.

Authoritarian regimes come in a variety of types: military, single party, dominant party, personal or traditional or some combination of features from these various types. Authoritarian regimes are not necessarily resented by their people. Indeed. some are deeply populist—they cultivate the sentiments of and are much admired by the mass of citizens. In varying degrees all authoritarian regimes seek to exercise a

very tight control over both the direction of governmental policy and the expression of free opinions by citizens. The defining feature of all authoritarian regimes is that the ruling party, be it a group or an individual (monarch, president or sultan) dominates the political arena while allowing a margin of freedom—defined as the degree of liberalization-__which might be small or relatively large, within civil society. While no doubt liberalization improves the quality of life, and might be the handmaiden of democracy, the two concepts are quite different. While both are desirable, and are indeed twin features of the democratic West, yet they should not be conflated.

Thus, for instance, several Arab monarchs—all of whom exercise enormous executive power—have taken significant steps to liberalize their regimes. This degree of liberalization is often taken—erroneously indicate a measure of democracy. But only titular monarchs can preside over a democracy. Monarchs who wield executive power—not to mention also at least some legislative powers, as all Arab monarchs do—may go a long way towards liberalizing their country but they can never establish a democracy since a democratic regime must entail the possibility of replacing the government, including the supreme executive – i.e. in this case, the King. It also involves the necessity of placing Supreme power in the hands of the people and their representatives a situation that the present Arab monarchs and presidents cannot of course contemplate. Moreover, a democracy holds no one immune—as are Arab monarchs and presidents and their families from public criticism. In short, democracy is based on certain types of institutions and political practices that permit constitutional change of government via popular elections.

And thus all that can be said of Arab rulers who liberalize is that at best they are enlightened autocrats. Noteworthy, is that the regimes of Arab Presidents, as the present survey indicates, are by and large mostly less liberal than those of the monarchies (barring Saudi Arabia).

The pressing issue with such regimes is whether the liberal steps they take do in fact move them towards a transition to durable stable democratic forms of rule, or are they merely a tactical retreat under internal and/or international pressures which can be reversed once the pressures are lifted, or once the liberal opening proves ineffective in dealing with the intractable problems they face.

If Arab countries are to democratize then the first and most fundamental step is to establish the rules of the democratic game which must begin with establishing a constitution that strictly limits the power of the executive especially that of monarchs and presidents, and transfer ultimate power to the people and their representatives in national

legislatures and local councils. We cannot begin to speak of a democratic change so long as the supreme seat of power remains in the hand of an all-powerful monarch or president, as is the case so far in all Arab countries.

The second basic step to the establishment of democracy is that the norm should be rule *of* law rather than rule *by* law where the ruler through informal mechanisms and pressures influences court rulings. Also, to speak of constitutional guarantees in the presence of *conditional* clauses—as in the case of all Arab constitutions—which grant broad political freedoms and civil rights then qualify them with vague restrictive phrases—that are always subject to the interpretation of the ruler—like "*provided they don't violate generally accepted moral or societal values*" is to nullify all guarantees, and perpetuate authoritarian rule.

While all reform must spring in the first instance from the efforts of the people of each Arab country and be motivated by their determined will to strive and sacrifice in order to force the change on their reluctant rulers, yet the developed democracies of America and Europe have also a vital role to play if local efforts are to succeed: that of providing an enabling international environment that would support and enhance the local efforts. Such external support needs to be carefully measured. Direct overt intervention will be counterproductive, for not only will it be resented by the people, but it will also undermine the efforts of the pro-democratic elements in society who will be branded as mere agents promoting a Western agenda.

Comments on the Political Rights and Civil Liberties Addressed in this Report:

1. Political regimes vary in the degree to which they enable voters to participate meaningfully in the system. This predominately means offering voters a choice between competing candidates for public office, and a workable democratic mechanism by which they may change their government. At the antidemocratic extreme of the spectrum are the kind of inherited monarchies that wield absolute unchecked executive power which dominates all aspects of the system (This applies to all the Gulf States, but Saudi Arabia is the supreme example). Not much better are the republican systems in which the voter is offered no realistic choice but to affirm, in a referendum, a single candidate for the presidency, who invariably claims a sweeping victory that approaches unanimity, and then proceeds to rule with near absolute power and without the possibility of

his removal by any democratic means (Egypt, Libya, Syria). In effect such rulers behave very much like the inherited monarchies, and frequently far less liberally. Indeed, some are assiduously seeking (and in the case of Syria managed) to have their sons succeed them as presidents (Syria, Libya, Yemen, Egypt). Somewhat better are the dominant party systems (Tunis, Algeria, Yemen, Egypt, Sudan). "Dominant Party" structures permit a margin of freedom for the opposition to campaign, gain seats in legislative bodies, articulate alternative policies, and criticize the government's performance—but all this only to the extent that stops short of their constituting any real threat or challenge to the group in power. Thus, legislatures are dominated overwhelmingly by the President's party. While in countries such as Jordan, Kuwait and other Gulf States, alliances between the ruling monarchs and traditional tribal chiefs frustrate the efforts of pro-liberal forces to democratize the system. Consequently, in such regimes, there is not the slightest chance that the Opposition can come to power, or even gain an effective weight in legislatures to meaningfully influence executive decisions on major public policies,

2. Important indicators of democratic elections is the existence of a mechanism that would reduce flagrant cheating, and the absence of restrictions placed on campaigning, which authoritarian governments impose ostensibly to reduce the risk of violence.

In the final analysis, of course, free and fair elections by themselves have little meaning if those elected do not in practice have the *major* power in the state to make laws and determine policies—as is the case in all the Arab states, barring none. While no Arab parliament has the major power in the state—that being invariably in the hands of the ruler who wields supreme power—yet in some countries (notably Morocco, Kuwait and Yemen) parliament does play a significant role in modifying legislation proposed by the government and constraining to some degree ministerial power.

3. Some Arab countries—specifically, Libya and the Gulf States—ban political parties altogether. This might lead one to conclude—erroneously that a fundamental pillar of democracy is missing and hence cannot possibly be established. But in truth there is nothing in democratic theory that mandates the existence of political parties. Indeed the founding fathers of American democracy not only thought that political parties were unnecessary, but strongly believed that they are to be avoided because of the adversarial Spirit they give rise to, and their possible corrupting influence on public life on account of their dedication

to the acquisition of power.

Historical evidence has shown, however, that very small countries—such as most of the Gulf states—may still function democratically without political parties through politically oriented associations within civil society. But this is not possible for states with larger populations. However, for the development of a modern state, regardless of size, political parties are essential to permit the necessary aggregation of a large number of votes and the articulation of societal interests, in order to legitimate the proposed alternative policies to those of the ruling group.

4. Public demonstrations and assemblies are essential rights in a free society. Though, there may be occasions when large gatherings could pose a real danger to law and order, yet the ruling elite in the authoritarian Arab regimes usually feel threatened by organized public expressions and use the pretext of their hypothetical danger to suppress them. Lebanon comes first among Arab countries with respect to these freedoms. At the lower end come Egypt, Libya, Syria and Tunis; and worst of all is Saudi Arabia.

5. One cannot begin to speak of a liberal, let alone a democratic, system unless there is an independent judiciary that can be relied on to observe a defendant's right to due process and a fair trial, and render verdicts with a reasonable degree of impartiality. No Arab regime has a truly independent Judiciary. Most, however, observe a reasonable measure of procedural safeguards in trial cases, except when the charges against the defendant are political in nature. The notable exception is Saudi Arabia in which the entire judicial system fails to even begin to approach the most basic international standards.

6. The right to free association is fundamental to democracy. A measure of the liberalization of a regime is the degree to which free association is permitted without hindrance or restrictions, or control by the government. A dynamic civil society is essential as a bulwark against the natural tendency of governments to accumulate power and their great propensity to encroach on the rights and freedoms of individuals. Here again Lebanon is the freest, and the worst is Saudi Arabia.

7. If religious freedom is essential for the well being of many in the world, it is much more so for the Arab people who, whatever their faith or sect, are generally extremely religious. Moreover, strong religious institutions provide a protective barrier around individuals which governments are usually reluctant to breach. Thus religious organizations

represent countervailing power to that of the state. The greatest religious freedoms and least discriminations against religious minorities is in Lebanon, followed by Morocco, Algeria, Syria and Tunis. Ranking poorly are Egypt and Sudan; but the very worst again is Saudi Arabia, which prohibits all non-Muslim faiths, and even within Islam tolerates only the Wahhabi version.

Check List

For Political Rights and Civil Liberties
(Based on Freedom House Check list)

Political Rights

1. Chief authority recently chosen in a free and fair election.
2. Legislature recently elected in a free and fair process *Inferior Alternatives to 1 and 2.*
   (a) Single presidential candidate chosen in referendum with no realistic possibility of rejection
   (b) Incumbent President running against virtual nonentities and supported by the state apparatus
   (c) Choice possible only among government-approved candidates
   (d) Relatively open choices possible only in local elections
   (e) Open choice possible within a restricted range
3. Fair election laws, campaigning opportunity, polling and tabulation
4. Fair reflection of voter preference in the distribution of power— parliament, for example, has effective power
5. Multiple political parties
   only dominant party allowed effective opportunity
   open to rise and fall of competing parties
6. Recent shifts in power through elections
7. Significant opposition vote
8. Free of military control
9. Free of foreign control
10. Major group or groups denied reasonable self-determination
11. Informal consensus; de facto Opposition power

Civil Liberties

I 2. Media/literature free of political censorship
   (a) Press independent of government
   (b) Broadcasting independent of government
13. Open public discussion
14. Freedom of assembly and demonstration
15. Freedom of political or quasi-political organizations
16. Nondiscriminatory rule of law in politically relevant cases:

(a) independent judiciary
(b) security forces respect individuals

17. Free from unjustified political terror or imprisonment
    (a) free from imprisonment or exile for reasons of conscience
    (b) free from torture
    (c) free from terror by state-sponsored militias
    (d) free from government organized terror
18. Free trade unions, peasant organizations, or equivalents
19. Free professional syndicates or other private organizations
20. Free religious institutions and worship
21. Gender equality
22. Freedom from gross government indifference and corruption

Sources

This report relied heavily on numerous sources that assessed the status of political rights and civil liberties for different countries in 2005:

1- The Annual Report of the Ibn Khaldun Center in Cairo (in Arabic).
2- The Country Survey of Freedom House.
3- The Country Reports on Human Rights Practices submitted to the Congress by the U.S. Department of State.
4- Amnesty International
5- Carnegie Institute for Peace
6- Human Rights Watch
7- Middle East Online
8- The Arabic Network for Human Rights Information.
9- AlJazeera.net

- Additional data and information was obtained from various newspapers published in the Arab world.

Researchers

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Overview

Abstract

The status of democracy in the Arab world varies from country to country. However, they all share common socio-political features that impact and are reflected in their score on the democracy index.

All Arab countries ,as succinctly stated by Saliba Sarsar, are ruled by authoritarian regimes, their societies are "saturated with patriarchal values, religious dogma, ideological and political extremism, and narrow economic interests." These factors constitute an enormous impediment to the development of a true full-fledged democracy.

While all Arab leaders advocate democracy and claim that they have indeed embarked since long on the road of democratic reforms, yet in fact the actual results are meager. Arab rulers are far more concerned with retaining rather than sharing power. Thus they continue to wield near-absolute power, and often substitute the rhetoric of democratic discourse for real tangible political reforms that would liberalize their regimes. Nonetheless, very modest improvements did occur in most Arab countries, and the regimes in most have oscillated between opening up (in modest steps) and closing down political reform depending on changes within the climate created by the interaction of domestic and external factors.

At the end of this overview four tables encapsulate the conditions in the Arab countries. Tables I and II give the Status of Democracy Index in each country for 1999 and 2005 respectively; Table III shows the Corruption Perception Index; and Table IV lists the electoral system in each country.

Most Arab countries have been living in a state of crisis for at least the last two decades, under authoritarian regimes that precluded any real participation by the people. But in the last three years or so, the Arab world is witnessing the beginnings of a notable change, characterized by an increasing effort at introspection to determine the causes of their malaise. The Arab Human Development Report published annually since 2002 under the auspices of the UNDP is a singularly frank and perceptive example that analyzes the failings, and points the way to overcome them. Although the Report goes into considerable detail in dealing with each problem, the preponderance of the evidence it marshals clearly point that the fundamental cause of the Arab predicament is the failure to establish the institutions of a genuine liberal democracy.

Over the last five decades, none of the Arab regimes faced a serious challenge. Rulers continued in office indefinitely, many more than 20

years. These regimes managed through an interlocking system of restrictive laws and several security apparatuses that monitor and pervade every aspect of social life to keep all potential opposition forces weak and fragmented. Opposition groups are prevented from holding mass meetings or demonstrations in order to prevent them from getting their message across and developing a constituency. This security grip, as noted by political analyst Amr Hamzawy, "creates a structural bias within the Arab elite" that functions to resist reforming movements, and maintain the status quo.

But, cracks are beginning to show in the authoritarian structure of most of the Arab states, as people in many Arab countries came out into the streets, in defiance of emergency laws, calling for freedom and reform. Citizens' pressures are therefore mounting on the incumbent autocrats to open up their system to greater participation by the various opposition forces.

In the last three years or so a sea change seems to be taking place in the region. The most dominant issue now in almost all Arab countries concerns political reform in particular and freedom in general.

The entire region is presently witnessing a marked democratic stirring. This is most notable in Lebanon, Egypt, Palestine, and Iraq, but is also significant in many of the Gulf States, particularly in Kuwait and Bahrain. Although the authoritarian Arab regimes—both republics and monarchies—continue to wield supreme political power, the increased public demand for reform and greater participation, backed by a now sharply critical and outspoken press, is developing into a genuine counterforce that the ruling elite can no longer ignore or lightly dismiss.

This development is due to the confluence of two forces: American pressure and rising discontent within the Arab world.

The democratic movement is nevertheless still in its nascent stage and it is not inconceivable that the vicissitudes of power politics in the region and shifts in American foreign policy could present opportunities for the region's autocrats to recover lost ground and stifle the budding democratic domestic forces. American credibility in the Arab world will be strengthened if it stays the course and continues to pressure Arab governments quietly but firmly for significant steps along the democratic path.

But despite these encouraging stirrings it cannot be denied that in all Arab countries semi-authoritarianism still remains firmly entrenched and resilient. Although multiparty competitive parliamentary elections have taken place their effectiveness in terms of leading to regime change is practically nil. Nevertheless, these elections have opened a space for expression by opposition forces and democracy activists. But the basic

structures of the Arab regimes remain unchanged. With the notable exception of the Islamists, political parties are weak, fragile, and fragmented and the broad masses of voters are politically apathetic, except in Iraq, Palestine and Lebanon where the state in these countries is weak, and the polity unstable. The heads of state, whether monarchs or presidents, continue to dominate the entire political arena, wielding near-absolute power.

High barriers obstruct the formation and activities of political parties, and winner-takes-all electoral systems and campaign restrictions strongly favor the incumbent regimes, thus preventing opposition parties from developing significant strength to constitute a challenge to the ruling elites.

There can be no doubt that the weakness and fragility of political parties - except the Islamist - in all Arab countries is a major obstacle to any democratic transition no matter the laudable liberalizing steps taken by several Arab regimes. Therefore, to build up a democratizing momentum the constraints on the formation and activities of political parties must be diminished in order to allow secular liberal parties to develop in strength and create real constituencies.

As things stand now, wherever elections were relatively free Islamist parties and movements have registered striking gains despite governmental constraints. Clearly, in most Arab countries, the Islamists have the potential to gain a very strong presence in parliament, yet in most cases they have adopted a precautionary strategy of contesting only a limited number of parliamentary seats in order to avoid provocation that would trigger regime repression should the latter feel threatened by the possibility of an undesirable election outcome which could threaten the regime's hegemony. This strategy is most evident in the cases of Morocco and Egypt, in which the Islamists competed in Morocco for only half the seats, and in Egypt for only one third.

Of great importance to the development of domestic pro-democracy pressures is the necessity that its forces negotiate coalitions that would garner their collective strength vis-à-vis the ruling regimes.

Of equal importance is Western support to the indigenous liberal forces. But for external support to be effective, the West must maintain a coherent and consistent set of policies towards the Arab countries they wish to help democratize. These policies must strike the proper balance between the two important—and interdependent—goals of stability and the mobilization of civil society to effect democratic reform. Until the tragedy of 9/11, the West had favored the first goal to the detriment of the second, with the consequence that many in the Arab world have tended to discount, and to distrust, the democratic rhetoric of the West as

merely a vehicle for cynically pursuing its own interests which involve supporting and maintaining the autocratic regimes that have oppressed them for decades.

Of late, however, the West, led by the United States, has tended to correct this imbalance (between stability and change) by giving greater importance to promoting democracy and exerting greater pressures—coupled with both positive and negative incentives—on Arab governments to undertake meaningful political reform. No longer are the worn-out excuses of autocratic regimes to delay reform indefinitely acceptable. The claim of exceptionalism of each Arab society, warranting reforms at a glacial pace, and the bogeyman of Islamist fundamentalists coming to power in the wake of significant democratic reform are rejected by both domestic opposition forces and the democratic West.

Indeed, in the case of the U.S. in particular, this stress on the implementation of democracy at a reasonable pace within the Arab world seemed to be—at least up till 2005— a cornerstone of American foreign policy. There can be no denying that this U.S. stance and its close monitoring of the governments of the region with respect to democratization and respect for individual freedoms has been a major cause for the present vigorous demands for democratic reform within many Arab societies. While all local societal forces disclaim that external pressures have anything to do with their new-founded dynamism and outspokenness in the face of their autocratic rulers, yet there can be no doubt that the existence of that external pressure and the close scrutiny of the behavior of Arab governments by the West has provided for local pro-democratic activists—although unacknowledged by them—what may be called a "safety net." They now know, albeit often unconsciously, that their dictatorial governments can no longer afford to defy the democratic international community and brazenly suppress their people ruthlessly as they have been doing until lately. This new reality has pervaded the consciousness of opposition forces calling for democracy, and thus helped break down the barrier of fear that has long kept them subdued in the face of outrageously dictatorial regimes.

Thus a new political reality began to take shape in many Arab countries. Pro-democracy activists are becoming more aggressive, speaking more openly and taking to the streets in demonstrations demanding radical changes in terms of democracy and individual freedoms.

Thus between 2004 and 2006 some democratic gains were made in most Arab countries, that were reflected largely in a greater measure of liberalization that involved greater freedoms of speech and association. But, on the other hand little has changed in terms of creating stable

democratic institutions that would allow the rule of law and the implementation of the will of the people, including that of changing their government.

It is true that President Bush sharply denounced previous American policy that supported authoritarian regimes in the world in the name of maintaining stability, and admitted that sacrificing freedom to stability brought neither to the peoples of the Arab countries, and moreover fostered an environment of resentment and violence that spilled out beyond their region. Yet one crucial question posed by Arabs remains unanswered and underlies, at least partially, the lack of credibility among the Arab masses towards the American claim that it seeks to promote democracy in the region for no ulterior motives. That question is: "if you wanted to support democracy in the Arab world, why did you begin with your enemies instead of your friends? Why Iraq and Iran? Why not us?"[1]

Despite President Bush's forcefully articulated strategy of pushing forward freedom in the Middle East the United States did little beyond carefully worded official pronouncements against the anti-democratic abuses of its Arab allies, while continuing to retain strong close partnerships with these authoritarian regimes. The cases of Egypt, Tunisia, and Saudi Arabia are the most striking examples. Some skeptics of U.S. credibility go further and point to America's refusal to engage with Islamic opposition parties and movements in these countries despite the latter's vehement declarations that they uphold the core principles of democratic government, repudiate all forms of violence and are actually observing the rules of democratic participation. Thus American diplomacy intercedes on behalf of secular pro-democracy activists imprisoned by America's authoritarian Arab allies, but remains silent with regard to similar abuses suffered by members of the Islamic opposition.[2] Moreover, no word of protest was heard from the American, or for that matter from any of the Western democracies, when Islamic opposition groups were either entirely legally barred—as a group—from political participation or even as individuals subjected to arbitrary arrests and harassment by state security forces.

Furthermore, America's refusal to recognize or deal with the Hamas-controlled Palestinian government, which came to power in completely

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[1]Mokhtar Trifi, President of the Tunisian League for the Defense of Human Rights. Quoted by Anne Applebaum in "How To Solve a Problem Like Tunisia," *Washington Post*, February 13, 2007

[2] The example of the secularist Ayman Nour and the Islamist Essam El-Erian in Egypt is a case in point. Both were imprisoned at the same time on trumped up charges to silence their pro-democracy activism. But while US officials and senators repeatedly urged the Egyptian government to free Nour, they totally ignored the case of El-Erian.

free and fair elections, has brought into question the sincerity of the US call for democratic change in the Arab world. Of course the free choice of the Palestinians legitimizes Hamas' rule but this does not compel the United States to engage in any way with the government chosen by the Palestinians. Nevertheless, the average (Arab) person, who is not expected to readily make this distinction, will be hard put to perceive this US stance as consistent with its declared support for democracy.

This US predicament that undermines its credibility could be largely avoided if it clarified and stressed that a free election is but the procedural element of a democracy—necessary, but by itself insufficient to classify a regime as democratic. The US should, besides elections, strongly uphold the core principle values of a democracy, which include the rule of law, political and civic freedoms, rights of women and minorities, religious freedoms, and the recognized standards of democratic governance.

In Arab countries there are Islamic activists and movements besides Hamas and other radical groups such as Hizbullah. A nuanced analysis of the Islamic movement in the Arab world will readily show that there is a plethora of Islamic parties and groups with diverse political agendas. Barring a fringe militant faction all repudiate violence, and wherever allowed to participate have done so peacefully and abided by the rules of the democratic game. Moreover, while some, (like the Muslim Brothers in Egypt, the Party of Justice and Development in Morocco, Al-Wasat Al-Islami in Jordan, and the Tagammu Al-Watani lil-Islah party in Yemen) advocate a traditional conservative ideology that would not be quite compatible with secular Western-style liberal freedoms, they are not too different in basic orientation from the ideas propagated by the conservative Bible-quoting evangelical movement that appeals to millions of the American people, and has no doubt played a significant role in electing President Bush, in 2000 and re-electing him in 2004.

Other Islamic groups, however, like the (would-be) Wasat party in Egypt, stand on a political and social platform that goes a long way in satisfying most of the demands of the mainstream Arab liberals. Their aspirations with regard to political freedom is no less than their secular Western counterparts although their social orientation remains much more conservative.

Clearly, the Islamic movement is organically rooted in the political and cultural life of the Arab people, and Islamic parties are now generally acknowledged, even by their adversaries, as the most potent opposition force in almost all Arab countries. Thus, ironically, despite their intensely negative image in the West—mainly because of their heavy anti-Israeli stance on the Palestinian issue, and their anti-American position on Iraq

(standpoints that are dismissed by the United States as irrelevant and insincere)—they are effectively the major force calling for political reform, and pressuring the region's authoritarian regimes to democratize.

It is not expected, nor should the West seek, that the Muslim worlds establish democracies that exactly mimic those of the western world. Democracy in the Muslim countries should take into account local traditions, and in order to take hold and develop must draw heavily upon values in the Qur'an that extol plurality and tolerance. Hence, the urgent need for an Islamic reformation that would debunk the ossified, narrow doctrines of medieval scholars and show that Islam's holy text easily lends itself to liberal interpretations that are not compatible with democratic values. This would also preempt the standard argument of the Arab autocratic regimes for resisting democratization by disingenuously propagating the myth that should the Islamists come to power the door to democracy will be permanently closed for the foreseeable future.

In a keen analysis of U.S. policy vis-à-vis the Islamic movements, Ken Silverstein pointed out that America and the West need not subscribe to any of the ideologies of the various Islamic parties, but this should not lead to maintaining a hostile attitude towards them. After all, he asked "How is it possible to promote democracy and fight terrorism when movements deemed by the United States to be terrorist and extremist are the most politically popular in the region?"

Of course this immediately raises a set-of crucial questions: such as what kind of democracy would the Islamists establish if they come to power? Is the West justified in its present policy of supporting the incumbent so-called secular authoritarian regimes in frustrating the will of the Arab masses if they choose to vote the Islamists to power? Under such a state of affairs can one wonder why the credibility of the United States as a champion of democracy is called into question by most people in the Arab countries?

The initial American vigorous support to the promotion of democracy in the Arab world, which reached its zenith in President Bush's ringing declaration in his 2004 inaugural speech that in their struggle for democracy and freedom the people in the Middle East will "not stand alone," soon abated when his democratic drive brought the unsalubrious result of striking electoral gains for Islamist parties in Egypt and Palestine, with indications that the same outcome is likely to occur in the forthcoming 2007 parliamentary elections in Morocco and Algeria.

The US classification of Arab countries along a democratic continuum has now given way to a simple dichotomous differentiation: the radicals (eg. Syria, Hamas and Hizbullah) and the moderates (eg. Egypt, Jordan and Saudi Arabia). Now it looks that the ceiling of

Western democratic aspirations for the Arab countries is simply to maintain stability in the region while discouraging their autocratic ruling allies from flagrant human rights abuses.

On their part the Arab leaders have sought to mute the highly vocal and popular Islamic opposition by allowing them limited power. This has meant allowing them to form legally recognized political parties and run for national elections advocating an explicit Islamic platform, and in some cases even hold minor cabinet posts. This tactic is adopted in Jordan, Morocco, Yemen and Algeria. However, in all these countries the ruling regimes, through a mixture of covert suppression, co-optation and alliances with tribal chiefs, have so far managed to limit the gains of the Islamists.

In Egypt, while the Muslim Brothers are denied party status, they were lately permitted to run as independents and campaign openly under their own slogan "Islam is the solution." The Egyptian regime, however, was rudely surprised when the Muslim Brothers, despite brutal suppression and vote rigging in numerous districts, gained 20% of the parliamentary seats though they competed in only one third of the districts.

On Western Strategies

Combined transatlantic disagreement over democratizing strategy towards the Arab countries has weakened the reform momentum which gathered strength following the U.S. drive to democratize the region in the wake of 9/11. While the Bush administration pursued an aggressive campaign in the belief that freedom and democracy are priority goals for the Arab people, and political reform can and should be pushed without regard to any other considerations, the European policymakers largely believed that no radical reforms can be expected so long as the Israeli-Palestinian conflict continues to obsess the minds of most Arab intellectuals and the overwhelming majority of the politically active segment of Arab societies.

On the other hand the European Union's policy itself lacks both direction and consistency. The large size of the Union has led to consensus only at the lowest possible denominator. Though the 1995 Euro-Med Barcelona Accords spoke of "a comprehensive partnership through strengthened political dialogue," and did include some conditionality clauses linking economic assistance to progress in the area of democratic reform, yet in practice the political component of the Euro-Med agreement was relegated to a distinctly marginal concern. The

reason, in part, is that the EU perceived the entire political reform issue as a very slow evolutionary process that is largely driven by economic development. Thus it encouraged bilateral economic and trade agreements between European Union member States and Arab countries, in the belief that economic development will lead to a better standard of living and foster a respect for human dignity and human civic and political rights. Moreover, as noted by Roberto Menotti:

"The Euro-Med initiative downplayed democratization and evolved to mirror the Social Cohesion Strategy upon which the EU's own political and economic integration is based. In this vision, based on the European experience, only when threat perceptions change is a cooperative system viable."[3] Hence, in the EU's view, the crucial pre-condition to the fostering of democracy in the Arab countries requires first addressing the security issues emanating from the regional conflicts, particularly the Israeli-Palestinian conflict which has bedeviled Arab politics for three quarters of a century, and, more recently, the Iraq war that threatens to destabilize the entire Middle East.

The European stress on stability and security rather than democracy stems from a geographic reality that cannot be ignored. The proximity of Europe to the Middle East raises very real European security concerns stemming from the threat which an unstable Arab world poses in the form of widespread illegal immigration, drug trafficking, and terrorist activities.

However, the G8 declaration of June 9, 2005 has shown a measure of convergence between U.S. and European strategies by stating that "regional conflicts must not be an obstacle for reforms. Indeed, reforms may make a significant contribution toward resolving them." This in effect was a rejection of the region's autocratic rulers' argument that wide democratic openings will open the door to extremist activities and destabilize the social order. But even as the Arab autocrats argue against rapid serious reforms they nevertheless claim that they are indeed democratizing, albeit at a gradual and measured pace. And indeed it cannot be denied that certain modest liberalizing steps are being taken in many Arab countries.

But two problems remain: the first is that it is not clear, and hence hard to evaluate, whether these steps are indeed part of a genuine commitment to a long range plan that aims at eventually establishing a full-fledged democracy, or merely token gestures intended to placate the international community, in particular the United States, and the rest of the industrialized Western democracies. Two recent examples highlight

[3] "Democratize but Stabilize" in *Middle East Quarterly*, Summer 2006

this difficulty: the first is the new constitutional electoral amendment in Egypt which, despite its serious flaws, nevertheless allowed for the first time direct contested presidential elections. The second example is the first ever municipal elections in Saudi Arabia, which though highly defective is yet a landmark step in the history of the Kingdom.

The second problem resides in the risk that free and fair contested elections might bring to power popular non-democratic movements. The "Algerian Syndrome" cannot be entirely guarded against, but there are other encouraging, albeit limited, experiences in Lebanon, Mauritania, and yes even in Egypt and Saudi Arabia. The wisest strategy to adopt to limit the risk appears to be a kind of "balancing act" best expressed in the words of Alvero Vasconcelos: "The challenge is to combine support for reform processes 'from above' with backing for political movements pressing for democratic change 'from below', such that liberalizing authoritarianism becomes not an end in itself but a stepping stone toward full democratization." While this two-pronged strategy is no doubt, theoretically, very sound, in practice it is most difficult to implement in the Arab context which is characterized by a weak, largely unincorporated, civil society constrained by state laws that severely restrict the freedoms of political parties and non-governmental organizations, buttressed by a battery of laws that criminalize all attempts by the former to seek any form of external support.

On the other hand, empirical evidence suggests that outside support to empower civil society with the aim of enabling it to force an opening of the system and check the arbitrariness of the authoritarian state can be effective only if there already exists a sufficiently robust civil society to begin with. This indeed is also the gist of the testimony given by U.S. State Department officials and other experts at the Congressional hearings held in May 2006 on the subject of U.S. aid to promote democracy. The evidence presented in the hearings showed that successes like those of Georgia and the Ukraine were possible only because civil society associations in these countries had reached a level of political maturity and organizational competence that made external assistance an effective element in their confrontation with the autocratic state. Where civil society was extremely weak, as is the case in most Arab countries, external assistance proved of little avail, and only succeeded in antagonizing the ruling regimes. Thus the conclusion was that though discreet assistance could be provided by the West to the fledgling forces of civil society in the Arab world, these latter must first predominantly rely on themselves to develop. That process, of course, will be long and painful, but there are already hopeful signs that in the not too distant future a critical mass of pro-democracy organizations and

activists will be reached in several Arab countries, as indicated in the country reports of this volume. At that point concerted massive external help could very well tip the balance of forces leading to a democratic breakthrough.

My argument in this section has so far avoided the dichotomous model of framing the issue in terms of whether a robust civil society is a precursor for democracy, or, vice versa, that democracy is the prerequisite for the development of civil society. An acceptance of the latter view necessarily implies that democracy can only come about by a top-down process in which the people play no role or at most an insignificant one. It is difficult to accept this view since it flies in the face of abundant evidence to the contrary. The Cedar revolution in Lebanon, and the Orange revolution in Georgia are but the latest examples; and even more striking examples from the 1980s are the cases of Solidarity in Poland and the Group of 77 in Czechoslovakia, all of which attest to the possibility of an indigenous development of civil society under authoritarian rule, and even, as in the last two cases, under crushing totalitarian regimes.

On the other hand if one preconditions the forward progress of democracy only on the forces of civil society we would be hard put to explain the liberalizing steps taken recently in several Arab countries despite their weak civil society. Moreover, if a robust civil society must precede democracy, how could we ever hope to develop civil society in the face of an authoritarian regime that leaves no opening for civil organizations and ruthlessly crushes any possible autonomous civil growth at its inception. Fortunately, however, all authoritarian regimes in the Arab world, largely due to their geopolitical and military weakness and their interlocking economic and political relations with the United States and the West in general, cannot maintain the stark totalitarianism that would render the forces of civil society non-existent, as for example is the case in North Korea and Myanmar (Burma previously). Thus in all Arab countries, despite their general authoritarianism, there is a significant margin of freedoms for civil society, which enables it to develop and thus increasingly be able to impact state policy and force ever greater openings of the system.

Despite the denials of the American administration there is no contesting that a major impediment that prevents domestic democratic forces from full utilization of Western pressures on Arab governments to effect reform is America's total support of Israel in the Palestinian-Israeli conflict. This has led to the perception among many in the Arab world that the conflict is in essence between Muslims and a largely hostile Judeo-Christian West. This perception has driven a wedge between large

segments of the Arab Muslim people and the West, and has caste doubt on the credibility of the West's, particularly America's, vehement proclamations of its dedication to the goal of democracy in the Arab world. Unfortunately, this total U.S. bias in favor of Israel has played into the hands of the Islamists—whose commitment to democracy is not above suspicion—who have used this as a rallying cause against the West and its motives in the region. Worse still, the plight of the Palestinians, coupled with the humiliating developmental failures of many Arab regimes, fuel the recruitment of militant Islamic jihadists.

While the Palestinian problem does not in any way justify the delaying of democracy in the Arab countries, as many of its rulers have tried to argue, yet no doubt the settlement of this festering problem, that has lasted for more than three quarters of a century, will go a long way to stemming an important source of anti-Western anti-democratic feelings in the Arab world.

Such a settlement will thus open the door for America and Europe to play a vitally effective role in the battle for the hearts and minds of the Arab people in the interest of democracy.

Measuring Arab Democracy (Tables I & II)

Having briefly surveyed and analyzed above some of the critical problems that impede democratic transition in the Arab World we present in this section some quantitative data on the status of democracy in each of the Arab countries. This requires objective criteria for measuring the progress or regression of democracy over time. In this report I present the annual Freedom House survey of the Arab countries for the year 2006 (See Table I). But to give greater insight over time I have presented also in Tables I and II an alternative composite Status of Democracy Index (SDI), designed by Saliba Sarsar.[4] Ms. Sarsar's study is particularly interesting and illuminating not only because it compares the status of democracy over time, in 1999 and 2005, but also because the SDI comprises nine variables including the Freedom House Index. The first "four variables address governance and representative government.

These mark how heads of state and members of the legislature are selected, as well as political party development, suffrage, and the maturity of political rights and civil liberties. The fifth variable measures media freedom as provided by the Freedom House annual survey. The

[4] "Quantifying Arab Democracy, Democracy in the Middle East" in *Middle East Quarterly*, Summer 2006.

sixth variable is religious freedom, derived from U.S. Department of State reports. The seventh variable measures the observance of human rights, derived from data provided by Amnesty International, Human Rights Watch, and the U.S. Department of State. The eighth and ninth variables measure human development and economic freedom respectively, the first provided by the UN Development Index, and the second by the Heritage Foundation's index of economic freedom, respectively.

The SDI assigns each of these nine variables 2 points for a total of 18 points. Each score ranges from 0 to 2, with 0 being nonexistent and 2 being the highest measurement. For example, if the head of state or legislature is not elected, then that country receives a score of zero. Prohibition of political parties would also equate to a 0 while tight controls would merit a 1, and reasonable free functioning would score to a 2. Media freedom religious liberty, and respect for human rights are each easy to quantify: 0 for not free, 1 for partly free, and 2 for free. Human development is scored by level: 0 for low, 1 for medium, and 2 for high. Economic freedom, the last variable, is scored on the level of governmental interference in the economy, with 0 for strong, 1 for moderate, and 2 for low interference. It is then possible to convert the totals to a percentage for easy digestion.

Legend for Tables I and II:

A: 0 = no; 1 = indirect or partially free; 2 = yes
B: 0 = no; 1 = indirect or limited; 2 = yes
C: 0 = prohibited or nonexistent; 1 = controlled by government approval; 2 = reasonably free
D: 0 = none; 1 = some; 2 = yes
E:0 = not free; 1 = pretty free; 2 = free
F: 0 = none; 1 = some; 2 = yes
G: 0 = not observed; 1 = partly observed; 2 = fully observed
H: 0 = low human development; 1 = medium development; 2 = high human development
I: 0 = strong governmental interference; 1 = medium government interference; 2 = low government interference

Table I: Status of Democracy Index's (SDI) Ranking of 18 Arab Countries, 1999

	A	B	C	D	E	F	G	H	I	J	K	L	Freedom House Index	
Country	Free Election of Head of State	Free Election Legislature /National Council	Political Parties	Suffrage	Media Freedom	Religious Freedom	Human Rights	Human Development	Economic Freedom	Total SDI	% SDI	Arab SDI Renking	Political Rights	Civil Liberties
Algeria	1	2	1.5	2	0	0.5	0	1	1	9	50	5	6	5
Bahrain	0	0	0	0	0	1	0	2	2	5	28	11	5	5
Egypt	1	2	1	2	0	0.5	0	1	0.5	8	44	9	6	6
Iraq	0	5	0	1	0	0	0	1	0	2.5	14	16	7	5
Jordan	0	2	1.5	2	0	1.5	0.5	1	2	10.51	58	2	5	5
Kuwait	0	2	0	1	1	1	0	2	1.5	9	50	5	4	5
Lebanon	1	2	1.5	1.5	0	1.5	0.5	1	0	10.5	58	2	6	5
Libya	0	1	0	2	0	1	0	1	2	5	28	11	7	7
Mauritania													6	5
Morocco	0	2	1.5	2	1	1	0.5	1	2	11	61	1	5	5
Oman	0	1	0	0	0	1	0	1	2	5	28	11	6	5
Qatar	0	0	0	0	0	1	0.5	2	1.5	5	28	11	6	6
Saudi	0	0	0	0	0	0	0	1	1.5	2.5	14	16	7	7
Sudan	0	2	0	1.5	0	0	0.5	0	0.5	4.5	25	15	7	7
Syria	1	2	1	2	0	1	0	1	0.5	8.5	47	7	7	7
Tunisia	1	2	0.5	2	0	1.5	0.5	1	1.5	10	56	4	6	5
United Arab Emirates	1	0	0.5	0	0	1	0	2	2	6	33	10	6	6
Yemen	1	2	1.5	2	0	1	0.5	0	0.5	8.5	47	7	5	5

Table II: Status of Democracy Index's (SDI) Ranking of 18 Arab Countries, 2005

	A	B	C	D	E	F	G	H	I	J	K	Freedom House Index	
Country	Free Election of Head of State	Free Election Legislature /National Council	Political Parties	Suffrage	Media Freedom	Religious Freedom	Human Rights	Human Development	Economic Freedom	Total SDI	% SDI	Political Rights	Civil Liberties
Algeria	1.5	1.5	1	2	0	0.5	0.5	1	1	9	50	6	5
Bahrain	0	0.5	0	0.5	0	1	0.5	2	2	6.5	36	5	5
Egypt	1	1.5	1	2	0	1	0.5	1	1	9	50	6	6
Iraq	1	1	1	1	0.5	0.5	0	1	1	7	39	7	5
Jordan	0	1.5	1.5	2	0	1.5	1	1	2	10.5	58	5	5
Kuwait	0	1	0	1	1	1	0.5	2	2	8.5	47	4	5
Lebanon	1	1.5	1	1.5	1	1.5	1	1	1	10.5	58	6	5
Libya	0	1	0	2	0	1	0	1	0	5	28	7	7
Mauritania												6	5
Morocco	0	1.5	1.5	1.5	0	1	0.5	1	1	8	44	5	5
Oman	0	1	0	1	0	0.5	0.5	1	1	5	28	6	5
Qatar	0	0.5	0	1	0	1	0.5	2	1	6	33	6	6
Saudi	0	0.5	0	0.5	0	0	0	1	2	4	22	7	7
Sudan	0	1	0.5	1.5	0	0	0	1	1	5	28	7	7
Syria	0.5	1	0.5	1.5	0	1	0.5	1	1	7	39	7	7
Tunisia	1	1.5	0.5	2	0	1.5	0.5	1	1	9	50	6	5
United Arab Emirates	0	0.5	0	0	0	1	0.5	2	2	6	33	6	6
Yemen	1.5	1.5	1.5	2	0	1	0.5	0	1	9	50	5	5

Table III: Corruptions Perceptions Index (CPI) 2006

Transparency International

	COUNTRY RANK*	CPI SCORE 2006	CONFIDENCE RANGE	SURVEYS USED
UAE	31	6.2	5.3-7.1	6
QATAR	32	6.0	5.6-6.4	5
BAHRAIN	36	5.7	5.3-6.3	6
OMAN	39	5.4	5.2-7.3	5
JORDAN	40	5.3	5.1-6.1	10
KUWAIT	46	4.8	4.0-5.2	6
TUNISIA	51	4.6	4.4-5.6	7
LEBANON	63	3.6	2.7-3.3	4
EGYPT	70	3.3	3.0-3.9	9
SAUDI	70	3.3	2.7-4.1	5
MOROCCO	79	3.2	2.8-3.6	8
ALGERIA	84	3.1	2.5-3.3	7
SYRIA	93	2.9	2.8-4.2	5
LIBYA	105	2.7	2.0-3.0	4
YEMEN	111	2.6	2.4-3.2	5
SUDAN	156	2.0	1.9-2.2	5
IRAQ	160	1.9	1.5-2.9	4
MAURITANIA	N/A	N/A	N/A	N/A
PALESTINE	N/A	N/A	N/A	N/A

***Total Number of Countries Surveyed : 163**

- **CPI Score:** perceptions of degree of corruption as seen by business people and country analysts. Ranges between 10 (highly clean) and 0 (highly corrupt)
- **Confidence Range:** Reflects how a country's score may vary, depending on precision.
- **Surveys Used**: number of surveys used to assess a country's performance.
- **Rank:** will vary depending on the total number of countries surveyed due to countries added/dropped.
- **Definition of Corruption Generally Used:**
    - Misuse of public power for private benefit
    - Kickbacks in public procurement
    - Embezzlement of public funds

Table IV: Political and Electoral Systems

Country	Executive and Legislative System	Recent National Elections	Political Parties?	Electoral System
Algeria	President, National Assembly	1995, 1997, **2005***	Yes	Party-list Proportional Representation **(PR)** (7% threshold)
Bahrain	Constitutional Monarchy (as of 2001), partially elected parliament	2002 (first since 1975 dissolution of parliament)	No	Elected lower house Winner Take All **(WTA)** single seat constituencies, Appointed upper house
Egypt	President, Prime Minister, National Assembly with Consultative Council	2005	Yes	Majority run-off, multi-member districts, WTA
Iraq (post 2003)	President (selected by National Assembly), Prime Minister, National Assembly	1995, 2000, 2005, **2005**	Yes	PR system with multi member districts, 45 seats reserved for minorities
Jordan	King, Prime Minister, Bicameral National Assembly (elected Lower House)	1997, 2003	Yes	Semi-PR (Single non-Transferable vote)
Kuwait	Amir, National Assembly	1996, 1999, 2003	No	WTA (block vote for at large single national constituency)
Lebanon	President (elected by Parliament), Prime Minister, Chamber of Deputies	1996, 2000, 2005 (presidential elections by Parliament not included; parliamentary elections suspended during civil war)	Yes	Confessional-system WTA
Libya	General (absolute Dictator), General People's Congress (appointed)	None	No	N/A
Mauritania	President, Prime Minister, Bicameral Legis lature (Direct and Indirect Elections)	1992, 1994, 2003, 2006	Yes	Single Member Constituencies, Simple Majority

Morocco	King, Prime Minister, Bicameral National Assembly (Direct and Indirect Elections)	1996, 1997, 2002	Yes	WTA (single member district plurality)
Oman	King, bicameral Consultative Council (upper chamber appointed)	2002	No	WTA, Simple Majority
Palestinian Territories	President, Palestine National Authority, Palestine Legislative Council	1996, **2005**, 2006	Yes	WTA , Party List PR system, Relative Majority, multi-member constituencies
Qatar	Constitutional Monarchy, Appointed Consultative Council	None	No	N/A, The Constitution that came into effect in June 2005 calls for elections for 2/3 of the consultative council. No elections announced yet.
Sudan	Absolute Monarchy, Appointed Consultative Council	No national elections, only municipal and chamber of commerce to date	No	N/A
Saudi Arabia	President, National Assembly	1996, 2000, **2000**	No (banned 1989)	WTA
Syria	President, National Assembly	1994, 1998, 2003,**1994, 1998, 2003**	Yes	Multi Seat Constituencies, Simple Majority Vote
Tunisia	President, National Assembly, Consultative Council (Direct and Indirect Elections)	1994, 1999, 2004, **1994, 1999, 2004**	Yes	PR
UAE	President, National Assembly	2006	No	Appointed Electoral College
Yemen	President, National Assembly, Appointed Consultative Council	1993, 1997, 2003, **1999, 2006**	Yes	Confessional-systemWTA

***Note: Bold indicates Presidential Elections**

PART – I

COUNTRY REPORTS

Algeria

Capital: Algiers
Date of Independence: 5/7/1962
Area: 2,381,740 Km^2
Population (in millions): 33 (est. 2006)
Rate of Population Increase: 1.22 (est. 2005)
Ethnic Groups: Arabs and Berbers 99%, Europeans 1%
Religious Groups: 99% Muslims (Sunna), 1% Christians & Jews
Illiteracy: 30%
No. of Provinces: 48 provinces
Polity: Republic
Head of State: Abdelaziz Bouteflika
No. of Political Parties: 18
GDP (in billions)—ppp: $253.4 (2005)
GDP per Capita—ppp: $7,700 (2005)

Overview

Following 130 years of French colonial rule Algeria gained its independence in 1962 after an eight-year armed struggle in which one million Algerians died. The National Liberation Front (FNL) ruled for almost 30 years as a one-party regime up till October 1988 when massive "hunger" riots forced President Chadli Benjedid to introduce a new constitution that permitted the creation of political parties. The first round of multiparty contested national elections which took place in 1992 were canceled by the army before the second round could take place when they showed that the Islamic Salvation Front (FIS), a coalition of various Islamist opposition groups, was poised to achieve a sweeping parliamentary victory.

The military intervention forced President Benjedid to resign, banned FIS, and subsequently imprisoned its leaders. This drove the Islamists to resort to an armed insurrection against the regime which set off a bloody civil war that claimed the lives of about 150,000 people. While most of the massacres were perpetrated by the radical Islamists government–backed

militias have also been responsible for mass killings. Human rights groups have also charged security forces with thousands of "disappearances." The armed violence has subsided considerably in the last couple of years. Nevertheless the country remains under martial law. The 1999 Civil Amnesty Law introduced by President Abdelaziz Bouteflika, which granted amnesty to Islamic radicals who renounce violence, led to a truce, followed by the formal disbanding of the Islamic Salvation Army (AIS). Two smaller Islamic groups, offshoots of the AIS, have however rejected the truce and continue their violent struggle. In the month preceding the last parliamentary elections of 2002 Islamist violence claimed 390 lives. Thus Algeria's first pluralist political experiment rapidly devolved into civil war involving widespread use of terror tactics that paralyzed the country for almost a decade, and from which it is presently emerging. In the fall of 2005, Algerians voted overwhelmingly to endorse the Charter of National Reconciliation that granted amnesty to members of armed groups for crimes committed during the civil war. Human rights groups have warned that the Charter denies families of victims of their right to justice.

I. Political Rights and Civil Liberties

1. The Executive, Political Parties and Elections

Algeria has a military political system with a bicameral legislature: the National People's Assembly (the lower house) which is elected by popular vote, and the Council of the Nation (upper house) of which two thirds of its members are elected by the provincial assemblies and the remaining third appointed by the President. The 389 seats in the lower house are contested by 18 political parties. However, only nine parties won seats in the last parliamentary elections of May 2002. Turnout in the elections reached an all-time low of 46% as a result of electoral boycott by the two main pro-Berber parties and the Socialist Forces Front. The important outcome of the election was that they did not produce any substantial parliamentary opposition to the party backed by the military— this time around the National Democratic Rally (NDR). Political parties are considered fragile and internally fragmented, no doubt partly because of the heavy restrictions imposed upon them by the government. In 2003, the Judiciary imposed a complete moratorium on the activities of the National Liberation Front, the party that once ruled alone for 25 years after independence. The suspension

came as a result of a law suit filed by active members of the party, claiming that Bin Flees, after being granted wide powers by the party's General Committee, has virtually frozen all activities of the party.

The last municipal elections took place on 10/10/2002 in which the NFL gained 798 seats out of 1960, with the Reform Party coming second with 374 seats, and the National Democratic Rally third with 336 seats. The presidential elections of 1999 were deeply flawed by the fact that Abdelaziz Bouteflika ran unopposed when the other candidates withdrew on the eve of the elections alleging the lack of any guarantees to protect against voting fraud. The 2004 presidential elections, however, were contested by six candidates; and though the incumbent President, won 85% of the vote yet the elections, which were monitored by foreign observers, were considered generally fair.

2. The Judiciary, Trials, and Detention

The judiciary is not independent. The fact that judges are appointed for a 10-year term subject to renewal, in addition to the Justice Ministry's power to remove them at will, makes them vulnerable to executive pressure and influence. In August 2000, President Boutaflika replaced 80% of the entire corps of lower court judges. Moreover, the authority of the Judiciary is curtailed by executive decrees. Trials in normal civil and criminal courts are conducted with reasonable fairness. Military courts try security cases, wherein due process standards are usually ignored. This is compounded by the reluctance of many lawyers to defend those accused in security cases for fear of retaliatory measures against them by the authorities. Under the state of emergency law imposed since 1992, the right of detainees is severely curtailed. The constitution provides that incommunicado detention before arraignment not exceed 48 hours, a limit which is usually respected by the police in normal non-terrorist cases, but not so in cases involving militant Islamists.

Although the number of reported abuses by the security forces has continued to decline in the last few years, it is still by no means insignificant, and the UN special Rapporteur for Torture has received a large number of alleged incidents of torture and ill-treatment during interrogations. The law also grants a sweeping amnesty to security-force members for abuses they committed while "safeguarding the republic". On the other hand in September 2004 the director of the security forces stated that 2269 gendarmes and 211 policemen had been dismissed for misuse of authority

and arbitrary arrests. The number of political prisoners at present is estimated to be in the thousands, most of whom are suspected members of radical Islamic groups or their sympathizers. But hundreds are also government officials arrested on charges of corruption. Prolonged pre-trial detention remains a problem particularly with regard to crimes considered terrorist or subversive acts; in such cases the pretrial detention could last up to 60 months. At the end of 2005, the government announced that it would build 51 new prisons as part of an effort to improve human rights.

3. Civil Society and the Freedom of Association

Free association and assembly is guaranteed by law, but the present state of emergency constrains both freedoms of association and of assembly. Several political parties have also been denied license on suspicion of their Islamic affiliations. The government has also refused to register some NGOs on "security grounds" without giving further details. Some NGOs, however, continue to operate unhindered despite their illegal status. A vibrant community of human rights associations operates openly. Under the emergency laws that are in place since 1992 freedom of assembly and demonstration are sharply curtailed, and all public gatherings required prior permission from the authorities. However, peaceful demonstrations are allowed without need for prior governmental approval. But organizations that focused exclusively on the investigation of the cases involving the "disappearance" of people have been denied registration. Indeed, Abdelrahman Khalil, a leading official of SOS Disparus which supports the families of the disappeared was arrested three times in 2002, and eventually sentenced to a six–month prison term. However, in response to the appeals of many families, the government has established a committee to look into the cases of those that has disappeared, with little result. In September of 2005, families of "disappeared" prisoners held a demonstration to protest the Charter for Peace and National Reconciliation and to publicize their plight. More than 6,000 people are thought to have disappeared between 1992 and 1998.

Workers can form unions and are permitted to strike; however, the government can dissolve unions if it deems their activities detrimental to public order or morale.

Algerian authorities released 300 prisoners on March 4 and the deputy-chairman of the banned Islamic Front for Salvation (FIS) Ali Belhadj on

March 6. Belhadj was arrested in July 2005 on charges of encouraging terrorism.

The Algerian government approved on February 21 the implementation of the provisions in the National Peace and Reconciliation Charter, an amnesty law proposed by President Abdelaziz Bouteflika to grant exemption from prosecution to any member of an armed group for crimes committed in the civil conflict that began in 1992 through referendum.

4. Freedom of Speech and the Media

Freedom of expression is guaranteed in the Constitution. Though the press is outspoken in its criticism of the government it is nevertheless constrained by harassment of journalists and by vaguely defined clauses in the law such as "defamation of the President or state officials." In 2001 the Penal Code was amended to stiffen the penalty for this offense against "any authority of public order." In May 2003 the political cartoonist for Liberte, Ali Dilem, was sentenced to a 6-month suspended sentence for defamation. About 70 journalists have been killed over the last 10 years. Nevertheless, the Algerian press remains one of the most vibrant and outspoken in the Arab world. In 2003, the authorities effectively shut down six major newspapers for several days when the government's printing houses refused to print these dailies in retribution for having exposed corruption in real estate dealings made by officials. In a show of solidarity, five other newspapers also did not come out on 22/9/2003, a day which left the capital without newspapers. Threats to the independence of the press continued in 2006, to the degree that the number of independent outlets is now shrinking. In particular, the criminalization of libel is used to intimidate if not destroy the free press, and libel has been used with increasing frequency in the past year to silence critics.

During 2006, dozens of cases involving journalists are awaiting court rulings, which could result in more imprisonment of independent journalists. Such trials no doubt aimed to intimidate journalists from pursuing cases of corruption and state tyranny. On September 27, Algeria's cabinet passed a law that provides up to five years in prison for any statement or activity concerning "the national tragedy" or other activities deemed "harmful" to state institutions, "the good reputation of its agents" or "the image of Algeria internationally."

Intellectual and cultural freedoms are not restricted as evidenced by the wide variety of conferences held on numerous topics involving domestic and foreign participants.

The broadcast media is state owned and government controlled. They are organs that mainly present the government's views. In the last quarter of 2003, presidential opposition candidates were denied access to the media in order to enhance the reelection chances of President Boutaflika. Satellite dishes are widespread, access to the internet is without hindrance.

5. Freedom of Religion

Islam is the state's religion. The small Christian and Jewish communities in Algeria are allowed to worship freely in existing churches and synagogues. But the law prohibits public assembly for practicing a faith other than Islam; and all non-Muslim "religious activities" require prior official permission. Unique among all other Arab countries, Algeria has a Constitution which specifically bars any government-imposed sanctions for conversion from Islam to another faith. Tradition and culture, however, prohibit such conversions. Mosques are under close government control and are open to the public only during prayer hours. All Muslim preachers must obtain prior governmental approval, otherwise they might be charged and imprisoned for delivering sermons that "violate the noble nature of the mosque," or that "rend the social fabric."

The respect for religious freedom declined during 2006. The Government increased requirements for the registration of religious organizations; increased punishments for foreigners who proselytize Muslims; and made regulations on the importation of non-Islamic religious texts more stringent. Parliament adopted into law Ordinance 06-03 dealing with the conditions and regulations of religions other than Islam September 2006. The ordinance confines non-Muslim worship to specific buildings approved by the state, these as criminal rather than civil offenses. The law was passed without prior consultation with affected Christian religious groups and without any meaningful debate in Parliament. The law was unanimously approved (one senator refused). Ordinance 06-03 marks a step backward for religious freedom; however, it will take some time to determine the actual impact of the law. According to the Ministry of Religious Affairs, female employees of the Government are allowed to wear the headscarf or crosses but forbidden to wear the full veil (niqab).

6. Women and the Marginalized

Although the Constitution disallows discrimination on the basis of gender, traditions and the Family Code, which is based in large part on Shari'a (Islamic Law) treats women as minors under the guardianship of a husband or a male relative. It also discriminates against women with regard to divorce, inheritance, and child custody. Women have also suffered from attacks by radical Islamists for not observing the appropriate Islamic code of dress or for going to beauty salons or even working outside the home. The President appointed in 1999 the country's first female Provincial Governor, and has recruited a greater number of women in government. The new cabinet has five female ministers and the upper house has seven female members. However, the proportion of women in the workforce remains still relatively low because of biased societal stereotypes. There are many women's rights groups which though small in membership are quite active in their efforts to foster women's economic welfare and amend the Family Code. Unlike in neighboring Morocco, however, reformers have been unable to make much progress on women's issues and conservative Islamists remain outside the official dialogue.

The Berbers (Amazigh): This ethnic minority in Algeria, which totals about 13 million, does not face overt official discrimination but their culture and language is not fully recognized legally. They have also been targets of Arab Islamic radicals. Berber demonstrations in defense of their rights have frequently been dispersed with excessive official force. (For details on the Berbers see Part II on Minorities).

II. Prospects for Democratic Change

The government's human rights record leaves much to be desired. But some improvement has occurred as evidenced by the diminishing number of reported abuses by the security forces, and by the increased public debate about human rights. A human rights commission established by the government has also been active in proposing several initiatives to promote greater sensitivity to human rights. Also the civil war which began some twelve years ago has wound down and the Berber restlessness of the last few years has largely come to an end as a result of the government's responsiveness to some of their justifiable urgent human rights demands. These changes that provide for socio-political stability augur well for further

liberalization. But to move towards a genuine democracy requires a radical restructuring of the system to do away with its entrenched authoritarian elements and establish new democratic institutions and measures that would allow for free and fair contested elections, provide an independent judiciary, lift emergency rule, and eliminate all discrimination against women and the Berber minority.

Bahrain

Capital: Manama
Date of Independence: 15/8/1971
Area: 620 Km^2
Population (in millions): 0.69 (est. 2005)
Rate of Population Increase: 1.51 (est. 2005)
Ethnic Groups: 63% Bahrainis, 19% Asians, 10% other Arabs, 8% Iranians
Religious Groups: Shi'a Muslims 70%, Sunni Muslims 30%
Illiteracy: 11%
No. of Provinces: 12 municipalities
Polity: Traditional monarchy
Head of State: Hamad Bin Issa al-Khalifa
No. of Political Parties: There are no political parties
GDP (in billions)—ppp: $17.7 (2005)
GDP per Capital—ppp: $25,300 (2005)

Overview

Bahrain is an archipelago of 30 islands and a population of about 670,000. It has been ruled by the al-Khalifa family since 1783 after expulsion of the Persians. In the late eighteenth century, the al-Khalifa family invaded and captured the islands from their base in neighbouring Qatar. In order to secure Bahrain from returning to Persian control, the Emirate entered into a treaty relationship with the United Kingdom and became a British protectorate.

Oil was discovered in 1932 and brought rapid modernization and improvements to Bahrain. It also made relations with the United Kingdom closer, evidenced by the British moving more bases to the island nation. British influence would continue to grow as the country developed.

After World War II, increasing anti-British sentiment spread throughout the Arab world and led to riots in Bahrain. In 1960, the United Kingdom put Bahrain's future to international arbitration and requested that the United Nations Secretary-General take on this responsibility. Consequently, Bahrain officially gained its independence in 1971. At present its King, Hamad Bin Issa al-Khalifa, is supreme ruler of both the executive and legislative

branches of government, and members of his family control the top military and political posts.

I. Political Rights and Civil Liberties

1. The Executive, Political Parties and Elections

Political parties are prohibited in Bahrain, as in all other Gulf States. However, different political currents have been permitted to form "political associations," of which at present there are 16 representing the Left the Liberals and the Islamists, as well as associations of independents, most of which have close connections to the government. These "political societies" are permitted to run candidates in elections. Many receive some government funding and all operate somewhat like political parties; choosing candidates for parliamentary and municipal elections, campaigning for political office, developing political platforms and hosting political gatherings. Thus, Bahrainis may influence their government but have no means for changing it. The King appoints the cabinet as well as the 40-member Consultative Council, the upper house of parliament, which can effectively overrule any decisions made by the Council of Representatives, the elected 40-member lower house. Collectively the two Councils constitute the National Assembly. The legislative and municipal elections held in 2002 were considered free and fair, and opposition political associations were allowed to campaign openly without hindrance; even those that boycotted the elections were allowed to stage large rallies. Three hundred and twenty candidates, including 34 women competed for the 50 municipal seats. The results showed a resounding victory for the Islamists who won 27 seats, of which 23 went to the Shias, and four to the Sunnis. In the parliamentary elections 177 candidates, including eight women, ran for the 40 seats. The results of the parliamentary elections were also a sweeping victory for the Islamists, who won 24 seats. No woman won. Following these two elections the legislative apparatus of the state (the National Assembly) was completed in 2002 with the appointment by the King of the 40 members of the Consultative Council. Deserving special note is that the appointments to the Council included six women, one of whom was a Christian, 10 businessmen, five officers, and two Jews.

Parliamentary elections were held on November 25, 2006. Turnout was 72%. The Islamists swept the elections: the Shiite Islamist "party" Al-Wefaq

won 18 seats, Sunni Islamist "parties" won 12 seats, pro-government parties won 9 seats, and a liberal independent won one seat. All other liberal and ex-communist MPs lost their seats. One woman, a pro-government independent, Latifa Al-Quohoud, ran unopposed and became the first woman in the Council of Representatives. Detractors have suggested that her opponents withdrew under government pressure, as the government wanted a woman in parliament but doubted that one could win in an honest election. Elections were seen as largely fair, though the fact that Shiites won 16 seats in the first round and only two of 11 seats they contested in the run off (three seats shy of a majority) has been pointed to as evidence of fraud. Additionally, Shi'a members of the opposition have alleged that the government naturalized and extended voting rights to thousands of foreign Sunni workers in order to rig elections. Following the election, a new Consultative Council was appointed by the king; it included 20 Shiites and 10 women. The nation's first Shi'a Deputy Prime Minister was also appointed. In the municipal elections held in December 2006 the Islamists, as in the legislative elections, won the largest number of seats.

2. The Judiciary, Trials, and Detention

The Judiciary in Bahrain is not independent. Although there is little evidence that the government interferes in the rulings of particular cases, it remains that judges are potentially subservient to the executive since all judges are appointed by the King, in consultation with the Supreme Judicial Council. Nevertheless, defendants receive due process protections and trials are public and fair. Members of the Royal family hold all top security posts. Citizens are also free from arbitrary arrest and detention; and since the government's abolition in 2001 of the State Security Act the Courts have refused police requests to hold detainees for more than 60 hours. But the government has the right to tap telephone conversations and monitor private correspondence. In 2002 the government created the first National Council for Human rights to be established in any of the Gulf States .

Separate Shari'a (Islamic law) based family courts exist for Sunni and Shi'a Muslims in Bahrain. These courts hear personal status cases, including marriage, divorce, custody and inheritance cases. There are no written personal status laws in Bahrain. The uncodified nature of these laws gives judges the authority to render judgments according to their own reading of Islamic jurisprudence. Judges presiding over these courts are generally conservative religious scholars with limited formal legal training. Civil and

criminal trial procedures provide for open trials, the right to counsel, and the right to appeal. An extensive judicial reform program has led to increasing transparency in the judicial process.

Seventeen people, including juveniles, were arrested on 30 April 2005 for organizing a public petition calling for constitutional amendments. On May 20 the detainees were released by order of the King. In June 2005 the authorities arrested the democracy activist Abdel Hadi al- Khawaga, and the human rights advocate Leila Deshti of the Islamic Labor Association, together with 50 others for demonstrating to call for employment.

On August 14, 2006 the king ratified the new bill "Protecting Society from Terrorist Acts," which allows for extended detention without charge or judicial review. Concern has been expressed that the law restricts freedom of association and assembly and heightens the risk of torture and arbitrary detention.

3. Civil Society and the Freedom of Association

Law No. 21 of 1989 regulates the creation and operation of non-governmental organizations and associations. It permits the formation of political, cultural and educational associations, imposing little restrictions on them in practice. Thus numerous advocacy associations were established, including some that focused on human rights. In 2002, 65 new associations were established of which 11 were political and 13 catered to the interests of professional groups. A considerable opening had already begun in 2001 when the Emir of Bahrain called a referendum to change the country into a constitutional monarchy, with himself as King. He promised then political reforms that would ensure greater participation by the people. In line with this new orientation, state security courts were abolished and a general amnesty was given to political prisoners. Since then about 300 new civil associations were established, of which around 16 were of a political nature. Also, human rights organizations have been permitted to engage in political activities. In 2002, a landmark law permitted the formation of independent labor unions without need for government permission. That law also gave workers the right to strike in defense of their "direct economic interests," thereby banning politically motivated strikes and ensuring the depoliticization of the unions.

On July 16, 2005 the King promulgated a new law that organizes the activity of political societies. Six out of the nine existing political societies

opposed the law on grounds that it severely restricted freedom of activity and the creation of new political societies.

The Constitution provides for the freedom of assembly, but the government restricts this by requiring permits for public events something that is not routinely granted. The law prohibits unauthorized public gathering of more than five persons, and the government periodically limits and controls political meetings. On May 18, 2006 the parliament approved amendments to the Public Gatherings Law of 1973 rescinding the ban on rallies near airports, hospitals, shopping malls, and locations deemed security-sensitive, but mandating prior notification of such activities. However,banning 2006 ‹2the government issued an edict on November vital"ional security and prohibited strikes in demonstrations that threaten nat including the oil —covering nearly everything—of the economy "sectors The penalty for .and gas sectors, hospitals, bakeries, and schools isonfrom a three months in pr 2006unauthorized gatherings was increased in .to six

4. Freedom of Speech and the Media

So far freedom of speech is limited but is on the rise. Radio and television are state-owned and mainly broadcast the government's views and its achievements. But privately owned newspapers and magazines reflect a diverse range of views, and regularly criticize government policies on almost all issues. Outright criticism of the Royal Family is rare, but unflattering coverage has not provoked repression. In November 2002 a new press law prohibited arbitrary closure of any publication; but it contained vaguely worded prohibitions such as "the propagation of immoral behavior" or "defamation of the state" all of which would open the door to discretionary interpretations by the government .

Law No. 47 of 2002 regulates the press and governs all printed material. Some statutes in that law impose considerable restrictions on journalists, who are often dragged to court accused of having contravened its terms. For example, on 12/6/2003 Mansour Gamri, editor of the daily "Wasat," was brought to trial for having published when he shouldn't havean item of news regarding the release of three men accused of terrorism. Access to the internet is not unrestricted. Websites that discuss the situation in Bahrain arte made inaccessible. On February 25, 2005 Aly Abdel Imam, manager of Bahrain on-line, was arrested and placed in detention for 15 days on the

charge of disseminating false news and rumors and inciting hatred of the regime.

In September 2005 the Bahrain government closed one of the country's leading human rights organizations. The closure of the Bahrain Center for Human Rights on followed the arrest last week of the organization's vice-president, after he publicly criticized the prime minister for his economic policies and his past human rights abuses. And on March 2005 Ghada Jamsheer, a leading women's rights activist, went on trial for publicly criticizing judges of family courts on grounds of corruption. If convicted, Jamsheer faces up to 15 years in prison.

ernment blocks access to opposition internet sites or thoseThe gov websites are currently 21It is estimated that .Islamic-considered anti blocked, including the websites of the Arab Network for Human Rights .Victims of Torture Information and the National Committee for Martyrs and

5. Freedom of Religion

Islam is the state's official religion and the government controls all religious institutions. It also provides funding to many including Shi'a and Sunni mosques. All religious groups must be licensed in order to operate, though the government has not been enforcing this condition strictly. The religious affiliation of Bahrain's population is 70% Shi'a Muslims, 28% Sunni Muslims and 2% Christians and Jews. While the Constitution guarantees freedom of religion for all, there is a distinct bias by the ruling Sunni elite against the Shi'a despite their majority within the population. Thus Shi'a mosques are much less subsidised by the government than their Sunni counterparts, and few top positions in the government are given to Shi'as. The government has lately, however, taken several steps in recognition of Shi'a rights.

6. Women and the Marginalized

Women enjoy most of the same rights as men except for the legal discrimination imposed by Islamic law with regard to divorce, inheritance and the guardianship of men over their wives. Although the law prohibits discrimination in the workplace on the basis of gender, ethnicity or religion, nevertheless, in practice there is a marked bias against women in the workplace. There are currently a large number of women's groups which are seeking to redress much of the wrongs that women suffer on account of the prevalent ossified traditional tribal culture. Although no women were elected

in either the legislative (in which only six ran) or municipal elections, 52% of the voter turnout at the polls were women. On 25/4/2004 a woman was appointed, for the first time, in the cabinet. Only 37 out of the 532 top echelon posts in the government are occupied by women. There is one woman of ministerial rank, one as ambassador, and 32 out of 281 at the level of director general. On August 22, 2001 the government founded the High Council for Women, headed by the wife of the Emir, in order to advise on women's affairs. And in April 2005, the first woman government minister was appointed. Nada 'Abbas Haffadh, member of the Supreme Council for Women, became Health Minister.

Though there were a number of female candidates, who ran in the 2006 parliamentary elections only one, who ran unopposed, was elected to the lower house in 2006. The number of female members in the upper house increased in 2006 from six to 10. Despite these gains, there is concern that the status of women will become worse owing to the election of a large number of Sunni and Shiite Islamists to parliament, some of whom have made promises to limit women's access to traditionally male oriented jobs. In October 2005, the King called for the enactment of laws that would end all forms of discrimination against women. In the private sector, women have been encouraged to reach decision-making positions, mainly in banking, where one woman became the General Manager of the National Bank of Commerce, three others filled the position of a bank-branch manager, and one became the director of a foreign-owned insurance company, in addition to a number of other women occupying managerial positions in divisions in banking and investment institutions.

Women's legal rights vary according to Shi'a or Sunni interpretations of Islamic law (as determined by the individual's faith or by the court in which various contracts, including marriage, were made). Since 2002, women have filed complaints with the ministries of justice and Islamic affairs against several Shari'a judges, arguing that women were often treated unfairly in their courts. In March 2004, the minister of justice suspended six Shari'a court judges indefinitely. According to the ministry, the judges reportedly had lost the trust of the community due to their misconduct and could no longer serve the community successfully.

A Supreme Council for Women sponsored by the government extends help to (NGOs) engaged in public outreach programs, which inform women of their legal rights. The government of Bahrain ratified the international convention on women's rights in 2002 but with reservations on articles

concerning family law, equality, freedom of movement, and residence. The current law obliges women's NGOs in Bahrain to obtain permission before organizing national-level meetings on critical issues regarding women's rights. Women still encounter many social and legal obstacles such as arbitrary divorce, gender-based violence and discrimination in the workplace.

One cause for concern is the Nationality Law, which does not allow Bahraini women married to a foreigner to pass their nationality to their children .However, in April 2005 parliament agreed to allow Bahraini women to sponsor their foreign spouses and children there by enabling them to work in the country without an employment sponsor. In particular women face obstacles in Sharia court proceedings, which are male dominated and extremely complex. While men are free to divorce their wives at any time, women are required to appeal to Sharia courts in order to be granted a divorce— a process that can be very lengthy.

There is no doubt that the status of women has improved since the ratification of CEDAW, with greater political rights and increased representation in the Shura Council. Married women now have the right to apply for a passport without need for prior consent from a husband or male relative. The President of the University of Bahrain is a woman and 60 percent of the students are women. However, the government of Bahrain has made almost no effort to review and amend the existing national laws and policies to bring them into conformity with CEDAW standards. Despite the recent attention directed toward women's rights, the government has failed to adopt any viable policies that would positively affect women's status in Bahrain.

The Shi'a who constitute about 70% of the population, are represented by 21 out of the 40 members of the Consultative Council, 18 members in the lower house, one third of the cabinet ministers, and the current deputy prime minister is also a Shi'a, a first in Bahrain. Despite this, the Shi'a complain of political discrimination and attempts to marginalize them. They cite as example the gerrymandering made by the government to dilute the voting strength of the Shi'a community, employment discrimination in sensitive government positions and in the managerial ranks of the civil service. Though now suffering less bias than previously, the Shi'a have become restive at the continued state discrimination against them. With the rise of Shi'a power in Iraq, and the now high profile of Iran in the region, the

Bahraini Shi'a may eventually be encouraged, in pursuance of their rights, to mount more forceful pressures on the regime.

Nearly 200,000 of the 700,000 people living in Bahrain are migrant workers who are sometimes subjected to mistreatment without having legal recourse to protection.

II. Prospects for Democratic Change

Although the political opening in Bahrain during the last few years is a welcome step in the right direction, it is nevertheless a small one. Bahrain's experiment in political reform has been rather disappointing. This has aggravated sectarian tension. Opposition political societies (which function in lieu of political parties) struggle to effect changes in the regime to bring it in line with that of a constitutional monarchy. Though political societies have significant constituencies within Bahrain's society, it is highly unlikely that any one of them will succeed in gaining a majority in the 40-seat parliament. An analysis by the Carnegie Endowment for International Peace concluded that "for over four years [state leaders were] not only resistant to compromise and unwilling to negotiate a middle ground with its critics, but reluctant even to engage in dialogue."

For any significant democratic change the entire existing political system needs to undergo radical restructuring. Civil Society has become more dynamic as evidenced by numerous demonstrations demanding reforms and the release of political prisoners. However, one cannot speak of a genuine democracy in Bahrain in the absence of competing political parties, an elected legislature with full oversight and legislative powers, a fully independent judiciary and a separation between the three branches of government. Such restructuring, however, will prove quite difficult to implement unless the entrenched power of the existing tribal system gives way to a culture that embraces modern institutions—a culture that would look on competing opposition parties as a vehicle for presenting alternative solutions to the country's problems, rather than the present suspicious view which tends to perceive political opposition as a threat to social unity. It is also important that the elected parliament seek solutions to the country's problems rather than a forum in which members jockey for sectarian privileges.

Egypt

Capital: Cairo
Date of Independence: 28/2/1922
Area: 1,001,450 Km²
Population (in millions): 79 (est. 2005)
Rate of Population Increase: 1.88% (est. 2005)
Ethnic Groups: 99% Egyptians, Bedou, Berber, 1% Greeks, Nubians, Armenians and other Europeans (Italians and French(
Religious Groups: 90% Muslims (89%Sunni, 1% Shi'a) and 10% Christian Copts
Illiteracy: 42%
No. of Provinces: 26 governorates
Polity: Republic
Head of State: Muhammad Hosni Mubarak
No. of Political Parties: 19
GDP (in billions)— ppp: $328.1 (2005)
GDP per Capita— ppp: $4,200 (2005(

Overview

Egypt gained formal independence from Great Britain in 1922. In 1952, a military coup led by Colonel Gamal Abdel-Nasser overthrew the monarchy and established a military dictatorship. The period of Nasser's rule, which lasted until his death in 1970, was marked by a deep hostility toward the West, and witnessed two wars with Israel, in 1956 and 1967. Nasser and his successor Anwar al-Sadat established a strong presidential political system that was largely dependent on a pervasive security apparatus that maintained a firm grip on all aspects of civil society. Following the assassination of Sadat in 1981, Hosni Mubarak, an air force general who was then Vice President, became president and declared a state of emergency, which he has since renewed every three years (recently in June 2003). In the early 1990s Islamic militant groups in an effort to overthrow the government conducted a wave of terrorist attacks against the police, top government officials, the Christian Copts, and foreign tourists. The bitter fight against these groups lasted for several years; by 1998 the government had succeeded in

destroying the militants' infrastructure in Egypt. In the process, the government jailed thousands of suspected Islamists, and cracked down on political dissent. Although the armed sector of the militant Islamists was effectively destroyed by 1998, the government continued to severely restrict civil and political liberties, while seeking to enhance its legitimacy by burnishing its Islamic credentials. At present, Egypt is suffering from an ailing economy since the late 1990s, a high level of unemployment, particularly among college graduates, and endemic corruption at all levels .

I. Political Rights and Civil Liberties

1. The Executive, Political Parties and Elections

The President dominates the entire political arena. He is not chosen directly by the people in a competitive election, but is nominated by the People's Assembly (Parliament) and is confirmed in a national referendum. The last such referendum was in 1999 when President Hosni Mubarak won his fourth 6-year term by 93.8% of the national vote. The President appoints the Prime Minister, the cabinet and the Governors of Egypt's 26 provinces. There are 17 legally recognized political parties. Political parties based on religion are prohibited. The Muslim Brotherhood (MB) as an organization (that acts very much like a party) is banned, hence its candidates run in the elections as independents, but their true affiliation is well known and they express their views openly. The ruling National Democratic Party (NDP) dominates the Parliament. All other parties are extremely weak, with many being parties in name only. This is attested to by the fact that in the last national elections held in 2000 the opposition won only seven seats in the 454–seat parliament, the independents 13 seats, and the Muslim Brothers 17 seats; the remaining 417 seats (including the 10 appointed by the President) are taken by NDP members. The assembly has limited effective power, restricted to introducing minor modifications to the bills which are invariably initiated by the executive. Many policies and initiatives, however, are simply carried out by administrative decree by-passing the legislature altogether. With such extensive executive power and its dominance over the legislature, the constitutional right of citizens to change their government remains a purely theoretical one .

Political parties cannot be established unless licensed by the NDP-dominated Political Parties Committee (PPC)—which so far it has never

done. All existing parties other than the original four established by Sadat in 1976, have been licensed as a result of a court ruling that overturned the PPC decision. Besides the Parliament a 264-seat Consultative Council (Majlis al-Shura) of which two thirds are elected and one third appointed by the President acts in an advisory capacity, and reports to the President on the proposed legislations. Among the appointees to the Consultative Council are 8 women and 4 Christians .

National elections have been traditionally seriously flawed by extensive vote rigging and intimidation of opposition candidates and their supporters, especially those suspected of Islamist leanings. But the last elections of 2000 were conducted under partial judicial supervision, which helped to eliminate some of the more blatant irregularities related to vote rigging. But this was offset by the arrest of hundreds of Muslim Brotherhood supporters prior to the elections, and the use of security forces to obstruct voters in pro-Islamist districts. These strong-arm tactics by the police led to clashes that left 10 dead and many more injured. In April 2002, the NDP won 97% of the seats in municipal elections. The suffocating grip of the regime over all political life has driven political parties, even those that stand at opposite ends of the ideological spectrum, to seek the formation of a common front.

As a result of increasing domestic pressures for political reform, President Mubarak in 2005 decreed, and the Parliament in 2006 confirmed, modification of clause 76 of the Constitution to make the selection of the president for the first time in Egyptian history by popular vote (instead of by parliamentary nomination followed by a referendum). However, this amendment was so constrained by qualifying conditions that it made it virtually impossible for any would be presidential candidate to prevent a realistic challenge to the incumbent president or anyone else nominated by the ruling NDP. In September 2005, presidential elections took place، in which nine contestants ran. As expected, President Mubarak won an overwhelming 86.3% of the vote. In the November 2005 parliamentary elections, the ruling NDP secured 74% of the seats amid an extremely low turnout of 23%, and candidates of the banned Muslim Brothers (MB) movement that contested only one-third of the seats garnered an astonishing 20%. The remaining 6% was divided between 16 seats for independents and 12 for all remaining opposition political parties combined. The elections were marred by excessive violence, in which 15 died and more than 500 were injured. Widespread vote-rigging was reported by the monitoring judges and other observers as the regime sought to limit what promised to be

a sweeping victory by the MB. The entire elections were monitored by 5,000 observers recruited and led by the Ibn Khaldun Center in coalition with 15 other NGO.

In a major setback, rule by Emergency Law was extended for another three years, and municipal elections that were scheduled to take place in 2006 were postponed for two years. On December 26, 2006, President Mubarak proposed amendments to 34 articles of the Constitution, several of which would further curtail civil liberties, especially Article 88 which severely limits judicial control of the voting process, and Article 179 which practically embodies in the Constitution many of the powers granted the executive under the Emergency Law. Included in the amendments was one that limited presidents to two terms in office (not to be retroactively applied to his own period as president).

2. The Judiciary, Trials, and Detention

The normal civil and criminal courts are generally competent, fair and independent of the executive. Trials are open and procedural safeguards are usually observed. However, political and security cases are tried in either military or State Security Courts, which come under the strong influence of the executive, and in which many constitutional rights are denied. Under pressure from many Egyptian intellectuals, human rights organizations, and the criticism of Egypt's Western allies, the President declared in 2003 that the government will submit a bill to the Parliament for the elimination of the State Security Courts, leaving in place the emergency military courts to try only cases of terrorism, and conspiracies designed to destabilize the regime. But by the end of 2004 the proposed legislation was still pending .

The Emergency Law by which Egypt is ruled since 1981 restricts many basic rights. Its provisions allow for arrests without warrant and prolonged detention without charge. There were varied and conflicting estimates of the number of extraordinary detainees (i.e. citizens held by the government without trial for alleged political crimes. Credible NGOs estimated that there were 6,000-10,000 detainees in addition to those prisoners in the ordinary criminal justice system. The government did not release any official data on detainees. Mistreatment by the police is commonplace. In November 2003, Amnesty International stated in its report that "everyone taken into detention in Egypt is at risk of torture." The authorities seldom investigated the complaints of abuse and torture— sometimes to death—many of which were recorded by the Egyptian Organization for Human Rights in its report

issued on April 16, 2003. In 21/9/2003, Mossaad Qutb, an accountant and a member of the Muslim Brothers, was tortured and died at the hands of the state security police, and on 14/11/2003, Mohammed Abdel-Sattar al-Rubi met a similar fate. On November 4, 2002, a report by Human Rights Watch estimated that since March of that year no less than 13 died as a result of torture. But during 2004, the government convicted 14 police officers for abuse and torture of prisoners .

On January 23, the leading independent newspaper Al-Masry Al-Yom reported that 19 Islamist prisoners had died in captivity of unspecified causes during the proceeding 6 months. By year's end, there had not been any governmental investigation of this story.

On March 25, a plain clothed Alexandria police officer from the Montazah station allegedly shot and killed 19 year-old Youssef Khamis Ibrahim after Youssef refused to allow the officer to search him. On May 26, according to EOHR and other widely circulated reports, police tortured Kifaya activists Muhamed al-Sharkawy and Karim al-Shaeer, who had been detained in the aftermath of the May 25 demonstration by Kifaya, or "Enough," Movement calling for political reform. Acccording to Sharkawy's own account, police severely beat, tortured, and sodomized him.

On September 7, the Egyptian Organization for Human Rights (EOHR) reported that 81 detainees were tortured to death inside police stations between 2000 and 2004 and that 21 detainees were reportedly tortured to death between April 2004 and July 2005. Several reported cases from 2005 of killings by security forces remained unresolved. On December 26, Cairo prosecutor Bakr Ahmed Bakr ordered the detention of two police officers, Islam Nabih and Reda Fathi, in connection with the January 18 sexual assault (including sodomy with a stick) of Cairo mini-bus driver Imad Al-Kabir.

3. Civil Society and the Freedom of Association

Freedom of association and assembly is heavily restricted. NGOs cannot attain legal status unless licensed by and registered with the Ministry of Social Affairs (MOSA). Law 84 of 2002 also allows MOSA to interfere in the activities of NGOs and to revoke the license of any NGO by administrative decree a power previously reserved to the courts. After 18 years of withholding official recognition, human rights organizations were finally allowed to register. In 2004, the government itself also established the "National Council for Human Rights." Registration of NGOs is sometimes

denied on the basis of obscure "security reasons." A case in point is that of the "New Woman Center for Research" which eventually sued and won a court ruling ordering MOSA to allow it to register, but by years end the ruling was not implemented. Despite the constraints imposed on the freedom of NGOs, there are at present about 30 associations concerned with human rights or some specific elements of these rights, such as torture or the rights of prisoners .However, Egypt continues to delay the process of establishing the UN Human Rights Council by trying to limit the freedom of its independent experts, restricting the participation of domestic NGOs in its activities, and, most significantly, seeking to strip the Council of its monitoring and protective functions that are essential to guaranteeing its independence and effectiveness in the promotion and protection of human rights anywhere in the world.

The Political Parties Committee refused licenses to the applications of 12 new political parties, some of which had been in the system for over a decade.

The law restricts the formation and activities of labor unions. There are 23 trade unions, all required to belong to the Egyptian Trade Union Federation which is the sole legally recognized labor federation. The International Labor Organization (ILO) has criticized single federations as an infringement on the freedom of association .

Regular campaigns are mounted by the police to arrest members of the Muslim Brotherhood. Around 700 were arrested in 2006, but the Muslim Brothers claim that the real number is much higher. Their average detention time ranged from 15 days to several months. In mid December 2006, the Egyptian authorities arrested 17 senior members of the Muslim Brotherhood and 14 activists of the Kifaya ("Enough") opposition umbrella group. On December 10, several dozen students affiliated with the MB at al-Azhar University conducted a "militia-style" parade clad in black balaclavas and demonstrating martial arts exercises. The MB leadership distanced itself from the demonstrators and reiterated its commitment to peaceful change. Nevertheless, the government arrested several hundred MB members and sympathizers, including the organization's third-ranking official Khairat al-Shatir and several other businessmen who were thought to be leading financiers of the MB. At year's end, approximately 200 MB members remained in detention.

4. Freedom of Speech and the Media

Though the Penal Code and the Press Law contain vaguely worded statutes that would severely restrict freedom of speech, yet in practice freedom of expression is largely available, and the opposition press is able to criticize the government in the harshest of terms, though direct attack on the President is avoided since the law prohibits anything that may be construed as "undermining the dignity" of the Head of State .

While the government was tolerant of free expression if restricted to the written word it was far less so toward NGOs that engage in advocacy, and absolutely intolerant of those that take their activism to the streets. The Ibn Khaldun Center for Development Studies which dared to cross the final red line was shut down and its founder and chairman sociologist, Prof. Saad Eddin Ibrahim and 27 of the Center's staff were arrested and brought to trial in a State Security Court on charges that included defaming Egypt abroad, and receiving foreign funds without authorization ($250,000 from the EU) to raise voters' political awareness and encourage citizen participation in elections. After three years and two heavily flawed trials that sentenced Dr. Ibrahim to 7 years imprisonment, Egypt's Court of Cassation finally, in a landmark ruling, in March 2003, acquitted him and his colleagues of all charges.

The Penal Code and libel laws also prohibit criticism of the military or foreign leaders. Open public discussion of sectarian tensions between Muslims and the Christian Copts is discouraged as a topic that fosters the divisiveness within the Egyptian society. The President, under continuous pressure from the Syndicate of Journalists, accepted to eliminate imprisonment as a penalty for defamation, but the bill when presented to parliament was defeated, indicating clearly that strong forces of the old guard within the ruling party felt threatened by increasing the margin of press freedom .

Demonstrations are allowed provided prior permit is obtained, but this is usually denied except in rare cases when it serves the interest of the regime to demonstrate the existence of domestic popular opposition to American policies in the region, which the President happens to disapprove of Despite . democracy spontaneous demonstrations-regime and pro-this, numerous anti .broke out during the yearIn ´spring of 2006, a vast coalition of opposition groups held large public demonstrations in support of two Egyptian judges Mahmoud Mekki and Hisham Bastawisi, who criticized the government for running unfair elections. Thousands of supporters were arrested during the

non-violent demonstrations. Many reported they were beaten by security officials. Most have now been released from detention.

Peaceful demonstrations calling for political reforms were violently suppressed by the government and women who participated were specifically targeted for attack, which included sexual harassment and molestation in order to deter other women from future participation in such political displays against the government.

On January 13 Huwaida Taha Mitwalli, a journalist for London's *Al-Quds al-Arabi* who is making a documentary about torture in Egypt, was charged with "practicing activities that harm the national interest of the country" and "possessing and giving false pictures about the internal situation in Egypt that could undermine the dignity of the country." On 7 July 2006 the Egyptian Interior Ministry released Islamic scholar Metwalli Ibrahim Metwalli after spending nearly three years in administrative detention under the Emergency Law for the religious views he had expressed in unpublished research in Qur'anic studies and Arabic linguistics. His offending views concerned religious conversion and the right of Muslim women to marry non-Muslim men.

Ibrahim Issa, Chief Editor of the independent weekly *Al-Dostour* Newspaper was arrested, detained and sentenced to one year imprisonment along with Independent staff writer, Sahar Zaki, and lawyer Said Mohammed Abdullah. The offense was that in April 2006 Zaki had run a news story in which lawyer Said Mohamed Abdullah had criticized President Mubarak and called for putting him on trial. The Court of First Instance sentenced each of them to one year in prison. They presently await a ruling on their appeal.

The Egyptian government and parliament has ignored demands made by the Egyptian Press Syndicate to include guarantees of freedom of expression, press freedom, and protection of journalists in the legislative amendments that were discussed and ratified in parliament on July 8, 2006.

The broadcast media is entirely owned and strictly controlled by the state, and presents the official point of view except for occasional instances when opposition personalities are given brief access to present alternative views. Satellite TV is freely available as well as access to the internet tub ، .some sites on the internet are blockedIn a procedure violating press freedom and the right to exchange information, *Al-Ahram* newspaper, the largest press foundation in the Middle East and North Africa, installed a filter to block websites that the newspaper found unfit for journalists to

browse while on *Al-Ahram* internal network, which serves nearly 15,000 staff members, including around 2,000 journalists.

Aside from a few sites linked to the Muslim Brotherhood's religious movements, Egypt does little online filtering. But President Hosni Mubarak, displays an extremely disturbing authoritarianism as regards the Internet. Three bloggers were arrested in June 2006 and were held for two to three months for calling for democratic reforms. On December 12, blogger Abdel Kareem Suliman was arrested for defaming Islam and insulting the president, and was eventually sentenced to 4 years imprisonment. Also, on November 19, blogger Rami Siyam was arrested for criticizing the government. Others have been harassed, such as Coptic blogger Hela Hemi Botros, who was forced to close down her blog in August under pressure from the police. Finally, a State Administrative Court recently ruled that the authorities could block, suspend or close down any website likely to pose a threat to "national security." This could open the way to extensive online censorship.

5. Freedom of Religion

The Constitution maintains that Islam is the religion of the state, and is the main source of legislation while providing for freedom of religion and the practice of religious rites. However, the government places restrictions on the building or renovation of churches, which are not applicable to the building of mosques. Moreover, a deeply entrenched institutionalized discrimination against the Copts is practiced by the State. Thus no Christian Copt has ever served as a governor (save once), or a police commissioner, or city mayor, or a university president or dean. There are few Copts in the upper ranks of the armed forces, and practically none in the security services. Further, while the Azhar University is supported by public funds it accepts only Muslims. Although not specifically banned in the Constitution, the government prohibits proselytizing by non-Muslims, or the conversion of Muslims to another faith. Converts from Islam to Christianity while not legally prosecuted, nevertheless, face societal discrimination and governmental harassment which may include repeated questioning, denial of travel abroad, and the refusal to amend civil documents to reflect their new religious status. The government has sought to control the sermons in mosques because of incidents where radical Islamists took advantage of this religious forum to incite people to subversive activities .

6. Women and the Marginalized

The Constitution provides for equality between the sexes, but in practice, certain laws and social customs discriminate against women. The Penal Code penalizes a wife guilty of adultery with a heavy prison sentence, while an adulterous husband is exempt from punishment unless the crime takes place in the marital home. Personal Status Law also discriminates against women with regard to divorce and child custody.

Women represent about 30% of the entire workforce, but in certain fields they are more heavily represented, such as the educational sector (45%), and the government bureaucracy (38%). About 13% have attained high-ranking posts in the government (general director, under secretary, or cabinet minister). The Judiciary, however, remains closed to women, although, in late 2003, the President appointed the first female judge to the bench of the Supreme Constitutional Court .

Women have a very low participation rate in politics. Only two women won a contested seat in the 454-seat parliament, seven others were appointed by the President who is by law entitled to allocate 10 parliamentary seats. Numerous NGOs focus exclusively on women's concerns. The Egyptian government has shown considerable concern for women's rights, thanks to the persistent efforts of the First Lady, Mrs. Susan Mubarak. A Presidential Decree in 2000 established the National Council for Women (chaired by Mrs. Mubarak), which plays an important role in proposing and advocating policies that promote women's empowerment, and designs development programs that benefit women.

Although the Constitution prohibits discrimination on the basis of religion, the Coptic Christians, who represent about 10% of the population, have long complained of an entrenched governmental bias against them. They point to restrictions imposed on the building of churches or their repair (while mosques are exempt from such restrictions), and their very low representation—far lower than their weight in the population—in the higher echelons of government. There are 7 Copts in the 454-seat Parliament, 6 of who were appointed by the President (who is entitled to appoint 10 members of parliament). The 32-member cabinet has also 2 Coptic ministers. However, the pervasive Islamist trend in the country continues to constitute an impediment to the desired liberal reform that would recognize the full rights of women and do away with all forms of discrimination against Copts .

II. Prospects for Democratic Change

Perhaps among all Arab countries, Egypt has the most developed institutional infrastructure that could sustain a full-fledged democratic system. Moreover, Egyptians are not unfamiliar with democratic practices, which prevailed during the first half of the Twentieth Century. At present, the entire political discourse, among both the public and within the government, is saturated with the call for reform, but little reform seems to be taking place. The odd phenomenon is that the opposition is almost unrestricted in its freedom of expression, but is totally ineffective in terms of causing any change, no doubt partly due to the severe constraints placed on their public demonstrations and contact with the masses. The malaise seems to reside in the great weakness of political parties. It is only when parties succeed in taking root among the general population and are able to aggregate and articulate the various interests in society that the hopes for a transition to a genuine democracy will be close to fulfillment. So far the regime keeps promising political reform but has exhibited a marked reluctance to take serious steps in that direction. But a ground swell is already underway driven by more vehement demands by opposition parties and numerous human rights organizations. There is no doubt that American pressure on the regime to democratize was a crucial factor in encouraging domestic pro-democracy forces. Had this external pressure continued unremittingly, it would have given a strong boost to the domestic parties calling for reform. Unfortunately, US support waned considerably in 2006 partly due to the internal and external problems facing the Bush administration, and partly as election results in several Arab countries made it clear that greater openness of the Arab regimes will most likely bring Islamists to power. As US pressure pushing for democracy decreased, the Egyptian authoritarian regime moved to recover the ground it had lost to democracy since 2004. Demonstrations were violently suppressed, and a wide campaign against the Muslim Brothers was mounted; hundreds of the MB including many leaders were arrested and assets of Islamists businessmen were frozen. The regime also had other freedom constraining measures in store for the Egyptian people, as the government declared in December that it will modify 34 articles of the Constitution. Though these are trumpeted as promoting political reforms, several of the proposed modifications actually give the President increased arbitrary power, and bring the electoral process under more executive control. Democracy has

regressed considerably during 2006, and the trend, over at least the coming several years, does not look promising. Clearly the regime is not seeking genuine democratic reform but is merely engaged in the creation of an illusion.

Iraq

Capital: Baghdad
Date of Independence: 3/10/1932
Area: 437072 Km²
Population (in millions): 26 (est. 2005(
Rate of Population Increase: 2.7% (est. 2005(
Ethnic Groups: 75-80% Arabs, 15-20% Kurds, 5% Turkmen, Assyrians & others (in 2002(
Religious Groups: 97% Muslims (60-65% Shi'a, 32-37% Sunna) 3% others
Illiteracy: 60%
No. of Provinces: 18 governorates
Polity: Republic
Head of State: Iraqi Interim Government
No. of Political Parties: 46
GDP (in billions)—ppp: $87.9 (2004)
GDP per Capita—ppp: $2,900 (2004)

Overview

Iraq as a state was established in 1921 by a League of Nations mandate to be ruled by a British-installed Hashemite monarchy. It remained a British protectorate until it won independence in 1932. In 1958 a military coup overthrew the regime and killed the royal family, the prime minister and several of the ruling elites. A succession of other coups followed until in 1968 the pan-Arab Baath party seized power and ruled until the overthrow of Saddam Hussein in April 2003, by coalition forces led by the United States. Under U.N Security Council Resolutions 1483, 1500 and 1511 an Interim Administration sponsored by the Coalition Forces was put together as caretaker until sovereignty is assumed by an internationally recognized representative government .

Under Saddam Hussien the minority Arab Sunni regime ruled with an iron fist, suppressing ruthlessly any opposition however mild. In response to Kurdish uprisings in the North demanding an equitable share in the governing of their region Saddam Hussein bombed and gassed entire villages in Kurdistan. The regime also adopted a policy of forced

Arabization, expelling Kurds from their homes in districts traditionally part of Kurdistan (like Karkouk) to replace them with Arabs. During 2006, Saddam stood trial for his crimes and was executed on December 31, 2006.

The toppling of Saddam's regime and the occupation of Iraq in March 2003 by the Coalition Forces created a new highly fluid and turbulent situation involving all the ethnic and religious groups of Iraq, as well as gave rise to internal divisions, fostered by ambitions of leadership, within each group, including especially the Shi'a community, which now exhibits three major trends: (i) The conservative right led by Sistani, the most eminent Shi'a cleric in Iraq, which adopts a cautious but cooperative attitude to the Coalition Forces, but would like to see their quick departure; (ii) The revolutionary Shi'a youth, led by the young political ambitious cleric Moktada al-Sadr, who are vehemently against the continued presence of the Coalition Forces; and (iii) The Shi'a allies of the Coalition Forces, which support the latter's extended stay to help rebuild Iraq. Each of these forces is jockeying for power in anticipation of the withdrawal of the Coalition Forces and the transfer of sovereignty to the Iraqis .

After months of deadlock, the Iraqi parliament passed a law on October 11, 2006 setting up a mechanism to implement a constitutional provision allowing the formation of federal regions in Iraq, despite vehement opposition by the Sunni coalition and two Shiite parties. The bill was submitted by the largest Shiite bloc, the United Iraqi Alliance, with the aim of creating a Shiite autonomous state in southern Iraq with broad powers over security and petroleum. In the north, Kurdish regional president Massoud Barzani provoked a national debate in September 2005, when he prohibited Kurdish government buildings from flying the Iraqi banner.

As a result of these changes in the nature of the conflict, the political process failed to create a strong government and stabilize the country.

I. Political Rights and Civil Liberties

1. The Executive, Political Parties and Elections

The fall of Saddam and the dissolution of his Baathist armed forces and police left a political vacuum that was filled by the Coalition Provisional Authority (CPA). On June 30th 2004, the CPA was dissolved transferring power to the 25-member Iraqi Interim Government (ITG), headed by Interim Prime Minister Iyad Allawi, which reflected the relative weight of the various ethnic and religious groupings in Iraq. The ITG arranged for the

election of a 275-member National Assembly in January 2005 which would be charged with forming a Transitional Government and drafting a permanent constitution by the end of 2005, to be followed by an election that would install a permanent democratically elected government.

Iraqi municipal and parliamentary elections took place in January 2005 in a markedly unstable environment characterized by daily violence. Being based on a "party-list" system, led to the creation of 216 competing lists. The elections became extremely contentious among the multiple political forces, with most Sunni parties choosing to boycott the elections, contesting that their legitimacy under conditions of foreign occupation. On the other hand, the Shi'a and Kurds parties viewed the elections as a political opportunity to influence the course of events. In spite of the threat from terrorist and insurgent violence, the January and the December national elections, as well as the October referendum, were widely considered to have largely met international standards for free and fair elections. The turn- outs in the January election (to arrive at a provisional government) was 59 %, in the October referendum (on the constitution) 62 %, and in the December election (to form a permanent government) 77 %.

The country's political parties, as a general rule, tended to be organized along either religious or ethnic lines— sometimes both.

The final results of the distribution of seats in the permanent parliament elected in December 2005 showed two major blocks: the Shi'a (60 %) and the Kurds (28%). The remaining 12 % went to minorities: 16 seats to Sunni Arabs, 13 to Turcomen, 6 to Chaldo, 3 to Assyrians, 3 to Yazidis, 3 to Faili Kurds, 3 to Shabak, and one to Kakai. After lengthy disputes that lasted several months among Shiite, Kurdish, and Sunni politicians over the interior and defense portfolios a government headed by Prime Minister Nuri Al Maliki was finally formed.

In contrast to the discord at the national level, the parliament of Iraq's Kurdish region unanimously approved a 42-member cabinet on May 7 in an unprecedented show of unity between the region's two major parties – the Kurdish Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK). Nechirvan Barzani of the KDP was appointed Prime Minister and Omar Fatah of the PUK Deputy Prime Minister.

2. The Judiciary, Trials, and Detention

The Iraqi judiciary is not independent although the Transitional Administrative Law (TAL), which came into effect on the 8th of March

2004, stipulates for judicial independence from executive authority and provides the Higher Judicial Council with complete oversight of judicial affairs and budget administration. Judicial independence was undermined by lack of experienced jurists, and their vulnerability to intimidation and violence, and to political influence.

Many human rights organizations, notably Human Rights Watch, reported the continuance of unauthorized arrests of those suspected of terrorism or belonging to a resistance group. Those accused of such crimes are generally subjected to inhumane and degrading treatment, including torture, to extract confessions. Defendants were often not given a fair trial since frequently trials were too short, lasting no more than 20 minutes, thus raising doubts that the verdicts were pre-determined. Also relatives of those held in custody are rarely given visitation rights .

The Constitution provides for the right to a fair trial under due process and the judiciary generally sought to enforce these rights. However, due to the continued violence the country is ruled by emergency law that allows a wide array of powers, including the authority search and detain suspects without a duly issued warrant. Security sweeps sometimes were conducted throughout entire neighborhoods, and many are arrested without a warrant or probable cause. Police often failed to notify family members of the arrest or location of detainees. Lengthy pretrial detentions continued to be a significant problem. These resulted from backlogs in the judiciary, slow processing of criminal investigations and, most seriously, undocumented detentions. Many prisoners, some undocumented, were held incommunicado for extended periods. Reportedly, police continued to use coerced confessions and abuse as methods of investigation. Hundreds of cases alleging police abuse and torture were pending throughout the country at year's end.

3. Civil Society and the Freedom of Association

The law allows Iraqi citizens to freely establish and join non-governmental organizations, except for the Baath party, which is banned. It also prohibits all government bodies from interfering in the work of civil society organizations (CSOs) and allows CSOs to collaborate with international organizations. Profiting from this law, the period after the war saw a mushrooming of CSOs. In addition to professional syndicates and human rights organizations, there are currently 132 civil associations in Iraq covering all facets of public life. Despite this notable quantitative increase,

Iraqi CSOs suffer from financial and technical shortcoming as well as the turbulent security situation. In order to rectify these shortcomings, the legal, administrative and legislative frameworks need to be reformed. Nonetheless, Iraqi CSOs have been effective, focusing their efforts on the most pressing problems pertaining to the environment, women's rights, the rehabilitation of the victims of war, the eradication of poverty and unemployment, and the promotion of freedom, democracy and human rights.

For the last 14 years Iraqi Kurdistan, under virtual autonomous rule since 1991, and aid provided by the U.S., has shown a remarkable rate of development in both the economic and socio-political domains. In that period of stable autonomous government many important democratic institutions were established and continue to function affectively. Consequently, in Kurdistan civil society has flourished in an environment that permits a very high level of freedom of speech and association as well as an unfettered press.

Freedoms of assembly and association though guaranteed by the law, yet under the current emergency law, the Prime Minister has the exceptional authority to restrict freedom of movement and assembly without a warrant circumstances. Nevertheless, many demonstrations were allowed to take place countrywide on sensitive issues concerning government decisions or lack of government capacity to address problems, although not on subjects prohibited under the anti-Ba'th orders inherited from the CPA. Police generally did not break up peaceful demonstrations except when a curfew was violated, or a demonstration turned violent. In the town of Kolar, however, a demonstration on August 9, 2006 protesting government corruption was violently dispersed when security forces fired into the crowd, killing one man and injuring several.

Personal freedoms are being increasingly curtailed by a rising tide of fundamentalist Islamists. In early June 2005 police in Najaf physically assaulted and detained students for wearing jeans and having long hair. The students said police beat them and shaved their heads .

4. Freedom of Speech and the Media

The law lists the freedom of expression as one of the fundamental rights of Iraqi citizens. In the months following the fall of the Baathist regime, 110 new newspapers went into circulation. The only article limiting freedom of expression pertains to a law issued by the CPA prohibiting and punishing the incitement of violence against coalition forces, expressing support for the

banned Ba'th Party, or support for "alterations to Iraq's borders by violent means."

Media organizations determined to be in violation of the CPA orders are subject to closure, possible imprisonment of persons involved in the violation, and a fine of up to $1000 (1.5 million dinars). No media organizations in the country were closed during the year. The Iraqi Association of Journalists asserted that journalists were censored and had been accused of collaboration with the insurgents after trying to report on both sides of the conflict. There is no government censorship office, but the law does prohibit reports by journalists that "defame" public officials.

Private broadcasting requires a license but the press does not require a license to operate .The independent media were active and diverse. There were several hundred daily and weekly publications, as well as dozens of radio and television stations at the national, regional, and local levels, broadcasting in Arabic, Kurdish (two dialects), Turcoman, and Syriac. The media represented a very wide range of viewpoints. Columnists openly criticized the government in print media, and government officials responded to viewer call-ins on television programs. Election programs featured live debates among candidates. However, there were numerous accounts of intimidation, threats, and harassment of the media by government or partisan officials. For example, *Al-Wasit* newspaper editor Ayad al-Tamimi and reporter Ahmed Mutare Abass were arrested for slander in April 2005 and imprisoned for six months for publishing articles criticizing the judicial system and police corruption in Al-Kut.

Much of the media is owned by political parties or coalitions of political, ethnic and religious groups. Despite the enabling legal framework, the lack of independent commercial financing resulted in many media outlets being the voices of and financially dependent upon political parties and other groups. But in Kurdistan a few notable independent media outlets covered government and party corruption, such as the weekly newspapers *Hawlatee* (The Citizen), and *Awena* (Mirror) and Radio Nawa; however, their journalists were subject to frequent criminal prosecution for libel claims and extrajudicial intimidation by junior or mid-level political party officials.

There were no restrictions on access to printed material or electronic media, equipment, or services. Foreign news broadcasts were not jammed. The law does restrict, however, media organizations from inciting violence and civil disorder, supporting the Ba'ath Party, or calling for "alterations to Iraq's borders by violent means." Under this provision, the Council of

Ministers voted on September 7, 2006 to close the offices of Al-Arabiya television network for one month, considering its reporting to be fomenting "sectarian violence and war in Iraq." Later, on November 5 Iraqi authorities shut down the offices of both Al-Zawraa and Salah Al-Din television stations, charging them with inciting violence, terrorism, and sectarianism.

According to the Committee to Protect Journalists, assailants killed or abducted at least 23 journalists and media assistants during the year. The prevailing climate of fear and violence has fostered a degree of self-censorship by the media. This year over 60 media workers were killed or abducted, leading to a total of 140 since 2003.

On August 13, 2005 Al-Hurra television aired a program about the March incident at Basrah University in which Sadrists violently broke up a picnic and beat students for "un-Islamic" behaviour. Following the program, unidentified Sadrists kidnapped one of Al-Hurra employee and threatened to kill the entire Basra office's staff. The office remained closed and the employees were in hiding.

5. Freedom of Religion

The religious groupings in Iraq are numerous. An estimated 97 percent of the population is Muslim. Shi'a Muslims— predominantly Arab, but also including Turcomen, Faili Kurds, and other ethnic groups— constitute 60 to 65 percent of the population. Sunni Muslims make up 32 to 37 percent of the population (approximately 18 to 20 percent are Sunni Kurds, 12 to 16 percent Sunni Arabs, and the remainder Sunni Turcomen). The remaining approximately 3 percent consist of Christians: Chaldean (an eastern rite of the Catholic church), Assyrian (Church of the East), Syriac (Eastern Orthodox), Armenian (Roman Catholic and Eastern Orthodox), and Protestant Christians; as well as small numbers of Yazidi, Sabean (Mandaean), Baha'i, Kaka'i, Ahl-el-Haqq, and a very minute Jewish community.

The new Iraqi Constitution stipulates that, Islam is the state religion in Iraq. The previous Baathist restrictions and controls on the freedom of worship of the Shi'a have been lifted. All Iraqis are now free to practice their faith. The law provides for freedom of thought, conscience, and religious belief and practice, but religious groups are required to register with the government. While the government endorsed these rights, its efforts to prevent or remedy violations were hampered by substantial politically and religiously driven violence between Sunni and Shi'a, and by continued

harassment and the systematic targeting of Christians by militant Islamist groups. Deficiencies in security force capabilities and in the rule of law made it difficult for the justice system to investigate or address violations of these rights. Published statistics indicate that around 110 Iraqi Christians were killed throughout the past year. In the month of August, four churches were burnt in Mosul and Baghdad. This rising intolerance and violent targeting of the generally middle-class Christian community has led as many as 45,000 Christians (out of a total of 600,000 to 700,000) to emigrate from Iraq. According to official estimates, the number of Christians in the country decreased from 1.4 million in 1987 to approximately 750,000 during the year. The government has continued to follow longstanding discriminatory practices against those of the Baha'i Faith, not allowing them to be issued national identity cards. Without this official citizenship card, Baha'is experienced difficulty registering their children in school, receiving passports to travel out of the country, or proving their citizenship.

Amid hostility and acts of terrorism against citizens of different faiths and their places of worship, religious leaders repeatedly called for tolerance. Members of the Yazidi community reported that they continued to be targeted by Islamists throughout the year on the basis of a misperception that they were devil-worshippers. Sabean leaders also reported that they were accused of being "sorcerers" and were targeted for killings.

During the year, there were a number of reports indicating that employees and managers within ministries expressly or indirectly pressured women to wear veils as a requirement for work, regardless of the individual's religious affiliation. Reports of these coercive tactics were particularly widespread in the Shi'a-dominated ministries of health and transportation. There were also allegations of religiously based employment discrimination during the year. Several ministries reportedly hired and favored employees that conformed to the religious preference of the respective minister.

The ongoing insurgency, and the raging Shia–Sunni sectarian violence, in which citizens' holy sites and religious leaders were targeted, significantly harmed the ability of all religions to practice their faith. Additionally, sectarian misappropriation of official authority within the security apparatus harmed the rule of law and the right of citizens to worship freely.

6. Women and the Marginalized

Iraqi women are largely educated and capable of taking an effective part in public life encouraged by the explicit government policy to promote women's participation. In April 2004, the Interim National Assembly approved the nomination of the first woman deputy minister, with the number eventually reaching seven women. 87 female deputies were elected in the January 2005 parliamentary elections, amounting to 32 percent of the total, which was greater than the 25 percent reserved for women by law. In addition, the Interim Iraqi Government included six women ministers out of the total of 33 ministers. Moreover, women have been successfully elected in a significant number of municipal, city and provincial councils in most Iraqi governorates. For example, women won six seats out of a total of 37 in the Baghdad city council. In addition, the Higher Electoral Committee raised women's quota in the National Assembly from 25 to 30 percent.

Women's Rights groups successfully blocked the passage of the proposed Law 137 which would have mandated the application of Islamic Sharia in personal status cases. The general lack of security in the country and increasingly conservative societal tendencies had a serious, negative impact on women. Iraqi women are often harassed by Islamist groups for not being veiled, and there were several reported cases of forced veiling. Women are also targeted by several armed groups and suffer from risks of kidnapping, rape, and murder.Women leaders—ministers, members of parliament and ambassadors—claimed that some extremist groups targeted women by kidnapping, killing, and terrorizing them in an effort to force them to refrain from working in public, remain at home, wear veils, and adhere to a very conservative interpretation of Islam. Islamic extremists reportedly targeted female university students in a number of cities, demanding that they cease wearing western-style clothing and cover their heads while in public. Additionally, these extremists allegedly called for a separation of male and female students in some universities.

According to local law enforcement sources, two or three women were murdered each week in Basrah, where banners were frequently seen that threatened women who did not wear the hijab.

Ethnically and linguistically, the country's population includes Arabs, Kurds, Turcomen, Chaldeans, Assyrians, Shabak, and Armenians. The religious mix is likewise varied. Arabic and Kurdish are the two official languages of the state. The law also guarantees the right of citizens to educate their children in their mother tongue, such as Turcoman, Syriac, or

Armenian, in government educational institutions in accordance with educational guidelines, or in any other language in private educational institutions.

Kurdish authorities abused and discriminated against minorities in the North, including Turcomen, Arabs, Christians, and Shabak. Authorities denied services to some villages, arrested minorities without due process and took them to undisclosed locations for detention, and pressured minority schools to teach in the Kurdish language. Ethnic and religious minorities in Kirkuk frequently charged that Kurdish security forces targeted Arabs and Turcomen. Kurds also complained that Turcoman election officials tried to prevent Kurdish participation and that Arabs prevented Kurds from returning to their homes in Kirkuk.

Palestinians reportedly experienced arrest, detention, harassment, and abuse by police, by individuals pretending to be police, and by the general public.

II. Prospects for Democratic Change

It is impossible to speak meaningfully in 2006, after the fall of Saddam, of civil society and democratization in the absence of the institutions of a stable state with a central government in control of the entire territory of the country. Suffice it to say for now that the toppling of Saddam has opened the door to a new era of political freedoms never seen before in the entire history of Iraq, not to mention the 30-year cruel despotic rule of Saddam Hussein. Tens of political parties have been established, most of which of course are parties in name only; tens of newspapers and magazines are currently in circulation, and freedom of assembly and demonstration are uninhibited. The country, however, is living in a cauldron boiling with the ingredients of sectarian conflict (between Shi'a and Sunni Muslims) and ethnic strife (between Arabs and Kurds and Turkmen). Perhaps the only luminous aspect of Saddam's regime was its secularism, and its support of women's freedoms to participate in public life. The present situation carries the dangers of infusing political life with religious dogma as the Shi'a majority makes ready to take power which will necessarily involve a retraction in women's rights if fundamentalists assume the upper hand and the traditional laws of Islamic Shari'a come to determine the norms of societal life. In that case, the extent of religious freedoms also will probably be diminished for non-Muslims. Iraq has conducted three open, free, and fair contested

democratic elections. In May 2006 Prime Minister Nouri al-Maliki democratically formed a government. However, continued violence and sectarian strife does not auger well for democracy. People living in constant fear and struggling to meet the very basic necessities of life cannot be expected to maintain an interest in democracy.

Jordan

Capital: Amman
Date of Independence: 25/5/1946
Area: 89,213 Km²
Population (in millions): 5.7 (est. 2005)
Rate of Population Increase: 2.56% (est. 2005)
Ethnic Groups: 98% Arabs, 1% Circassians, 1% Armenians
Religious Groups: 92% Muslims (Sunna), 6% Christians, 2% others
Illiteracy: 9%
No. of Provinces: 12 governorates
Polity: Traditional Monarchy
Head of State : King Abdallah II
No. of Political Parties: 33
GDP (in billions)—ppp: $28.89 (2005)
GDP per Capita—ppp: $4,900 (2005)

Overview

The Hashemite Kingdom of Jordan was established by a League of Nations mandate in 1921, and remained a British protectorate until it gained its independence in 1946. The first King Abdullah ruled until his death in 1951. He was succeeded briefly by his unstable eldest son Talal, who was soon replaced in 1953 by his son Hussein. Hussein ruled for 46 turbulent years in which his country and the entire Middle East witnessed many dramatic events. The 1948 Arab-Israeli war caused a massive influx of Palestinians into Jordan, who now comprise about 60% of the Jordanian citizens. The Arab defeat in the 1967 war led to Jordan losing control of the West Bank which it was administering on behalf of the Palestinians since the end of 1948 war, in the wake of which Israel was established as a state. Throughout the 1950s and up to the end of the 1980s, the King ruled absolute over the polity. During that period, an emasculated parliament existed in some periods and was suspended in others, and political and civil liberties were severely restricted. In 1989, however, difficult economic conditions provoked widespread rioting which raised urgent demands for

greater freedom and better representation. This led the government to rapidly take some liberal steps, including the scheduling and implementation of free elections later that year. By the time Hussein died in 1999, Jordan was facing deep economic problems. This prompted the young new King Abdullah II to launch economic reforms in order to attract foreign investments, but Jordanians remained disillusioned by the 1994 peace treaty with Israel when the promised prosperity, which they were told would ensue from it, did not materialize.

In September 2002, the Al-Aqsa Intifada broke out in the Israeli-occupied West Bank and Gaza, causing enormous repercussions in Jordan. The destabilizing effect of the Intifada caused the King to suspend parliament and rule by decree, issuing tens of "emergency laws", many of which restricted freedoms of expression and association and weakened due process protections. The suppression of civil liberties intensified in 2002 with the intensification of anti-American and anti-Israeli sentiments among the population.

I. Political Rights and Civil Liberties

1. The Executive, Political Parties and Elections

Executive power is invested in the King who has discretionary power to dismiss the cabinet, the upper house, and the parliament, and the authority to establish public policy by decree. The legislature is composed of a 55-member Senate (upper house) appointed by the King and a popularly elected 110-member Chamber of Deputies (lower house). In 2002, a new law allowed the King to appoint up to 50% of the mayors and the members of municipal councils. The government routinely licenses political parties that meet the criteria of the Political Parties Law. Some 20 political parties are operating in Jordan but the electoral law of 1993, which required a single member per district has worked in favor of traditional elites over party candidates, thus weakening the representation of parties in the National Assembly. The national elections held on 17/6/2003 were free and fair. They produced an overwhelming 81% majority composed of traditional tribal chiefs, and conservative elements, mainly former military officers, businessmen, and former top bureaucrats. Another important outcome was that the Islamist parties won only 19% of the seats, and no woman of the 54

who ran was elected. Both the national election and the municipal elections were free and fair.

There is increasing official talk in favor of postponing for about two years the general parliamentary elections that were due in summer 2007. This move is probably motivated by the fear that the current regional turbulence might lead to the influential Islamic Action Front winning a majority in parliament. Also, in July 2006 the National Agenda for Reform crafted by a royal commission headed by liberal politician Marwan Muasher, was dealt a heavy blow after the agenda's plan to change the electoral law and introduce proportional representation was shelved.

2. The Judiciary, Trials, and Detention

While the Constitution provides for an independent judiciary, it remains in practice subject to executive pressures and interference via the Ministry of Justice and the Higher Judicial Council whose members are appointed by the King. The Council was given in 2001 greater independence and jurisdiction over the judicial branch while limiting the Ministry of Justice's control over judges. The judicial system includes the usual criminal and civil court levels plus state security courts (SCC), which try cases of sedition, insurrection, financial crimes, drug trafficking, and offenses against the Royal Family. SCC may have on their panel military judges who seemingly have received adequate training in civil law. Trials are open and due process is usually observed. Shari'a Courts apply family law to Muslims, while Christians have separate family law courts.

Defendants are entitled to legal counsel, may challenge witnesses, and have the right to appeal. Civil, criminal, and commercial courts accord equal weight to the testimony of men and women; however, in Shari'a courts the testimony of two women is equal to that of a man's in most circumstances.

Defendants tried in the State Security Courts — where the panel of judges is composed of two members of the military and one civilian — were often held in lengthy pretrial detention and refused access to legal council until just before the trial. State Security Court judges inquired into allegations that defendants were tortured and allowed the testimony of physicians regarding such allegations. Approximately 24 cases were tried in State Security Courts this year. On July 24, 2006, Amnesty International reported the systematic torture of political suspects.

The law prohibits arbitrary arrest and detention, but the government does not always observe these prohibitions. Local governors may, under a

"Crime Prevention Law," place citizens under house arrest for up to one year without charging them. This law has intimidated journalists into practicing self-censorship.

On May 27, Jordan's government approved a new anti-terrorism law that includes provisions allowing security forces to place suspects under tight surveillance, seize their financial assets, and detain them for two week periods that may be renewed without a court order. And on December 4, 2006, King Abdullah approved legislation passed by parliament to fight corruption through the creation of a "financially and administratively autonomous" six-member investigating commission.

3. Civil Society and the Freedom of Association

The Constitution provides for the right of association, but in practice this right is somewhat restricted. Non–Governmental Organizations (NGOs) of various political and social orientations are routinely licensed provided they do not engage in political activities. There are currently 136 NGOs including several human rights organizations. In 2003, NGOs succeeded in pressuring the government to modify the restrictions in the law governing professional syndicates and the law relating to the licensing of associations in civil society. Freedom of assembly, however, remains heavily restricted.

Demonstrations are banned by law unless prior permission is obtained from the government. However, permits are not often denied, and even protests that the government finds objectionable are usually allowed after extensive negotiations with the organizers. On March 7, 2005 the government banned a planned demonstration of professional unions against a draft law barring professional associations from engaging in politics and deployed security forces to prevent the protest .

Workers in the private sector and in some public sectors, have the right to form unions. About 30% of the workforce is organized in 17 unions, all of which must join the General Federation of Jordanian Trade Unions, which is subsidized and monitored by the government. Labor laws do not protect foreign workers, which leads to widespread abuse, especially of South Asian domestic servants.

4. Freedom of Speech and the Media

Though guaranteed in the Constitution, freedom of expression is restricted in practice. The Press and Publications Law (PPL) and the Press Association Law impose severe restrictions on the operation of newspapers

and magazines, all of which require prior licensing. The government buys a large share of the stock of major newspapers in order to further increase its influence on what is published. It also resorts to intimidation of journalists to pressure them into practicing self-censorship. Citizens criticize the government openly, but may be prosecuted for slandering the Royal Family, the government, and foreign leaders; or for "sowing sedition within society." The PPL grants the government wide discretionary powers to impose fines, withdraw licenses, shut down newspapers, and control their content. This power has been attenuated somewhat by referring some decisions to the judiciary.

In November 2006, Adnan Abu Odeh, former head of the Royal Court, was investigated for allegedly insulting the king and inciting sectarian strife during a television interview in which he complained that Jordanians of Palestinian origin are excluded from political participation. The Abu Odeh episode illustrates Jordan's halting trek towards democracy, based on an insecurity rooted largely in the continuing Israeli-Palestinian crisis.

During the year, there were several reported instances of arrest and government harassment of journalists. On May 30, Amman's conciliation court sentenced two editors, Jihad Momani and Hashem al-Khalidi, to two months imprisonment for "attacking religious sentiments" over their publication of the controversial Danish cartoons of the Prophet Muhammad. On June 11, four members of parliament were arrested after visiting the condolence tent of the family of Abu Musab al-Zarqawi (the terrorist responsible for the 2005 Amman bombing in which 60 died and 100 were injured). They were charged with violating Article 150 of the penal code, which prohibits writing or speech that is "intended to, or results in, stirring up sectarian or racial tension or strife among different elements of the nation."

In January 2006, authorities banned the distribution of A. S. Bishtawi's book, *History of Injustice in the Arab World.* In September, the Press and Publications Department, a government censorship office, withdrew a number of books from Amman's 11th annual International Book Fair. Among these were *The English in Faisal's Life,* a book about King Faisal of Iraq, *Exposed Secrets*, dealing with Israel and nuclear weapons, and *A Feast for Seaweeds*, a novel banned for containing themes contrary to Islamic law.

A "security package" of laws was passed by parliament this summer at the prodding of the palace and the powerful intelligence apparatus, including anti-terror legislation that raised concerns about violations of free speech

and civil liberties. Other laws nationalized the issuance of fatwas (religious edicts) and banned preachers from delivering sermons without prior approval. Such laws are ostensibly intended to combat religious fanaticism.

Free speech is further restricted by amendments that add undefined criminal offences to the Penal Code. These amendments permit prosecution of citizens guilty of publishing, writing, or airing materials that "could be construed to harm or incite to harm or insult individuals, negatively affect the state's reputation and dignity, propagate false rumors, or destabilize society through the encouragement of deviation and immorality." The strong Islamist presence in Jordanian society has tended to restrict freedom of speech, and their members in parliament pressure the government to ban activities that are not compatible with Shari'a.

During the year, there were reported instances of arrest and government harassment of journalists. Several journalists interviewed by the Committee to Protect Journalists (CPJ) reported that authorities pressured printers to delay publication of several newspapers until editors agreed to remove critical articles. Editors received phone calls from security officials instructing them how to cover certain events. In the ongoing debate over a new press and publication law, parliament's National Guidance Committee rejected on March 13, 2006 a provision in the amended draft law that would have prohibited the imprisonment of journalists charged with violating provisions of the law. The committee insisted that "journalists should not have immunity."

The broadcast media, being completely state-owned, is more regulated than the press. But in 2003, the government, for the first time, allowed the opposition access to the television in the days before the national elections on 17/5/2003. The government has also encouraged the establishment of private radio and TV stations. By 8/9/2003, the government had received applications for several radio and three TV stations. The Muslim Brothers have also expressed their intention to apply for starting their own stations. Jordan's first private television station, ATV, is set to be launched in the coming months.

5. Freedom of Religion

According to the Constitution, Islam is the religion of the state. The Constitution provides for freedom of religion provided that religious practices are "compatible with public order and morality." All persons are free to practice their faith openly, but proselytizing Muslims to abandon

Islam is prohibited. The government subsidized part of the running costs of mosques and other Islamic institutions. Non-Muslim religious institutions receive no such subsidies but are tax-exempt. Persons enjoy freedom of belief, and there were no reports that the practice of any faith was prohibited. Some religious groups, while allowed to meet and practice their faith, complained of societal and official discrimination. In addition not all Christian denominations— such as Jehovah's Witnesses and the Church of Christ— have been accorded legal status .Nor are the Druze and Baha'i faiths recognized; hence, the government refuses to record the bearer's religion on national identity cards issued to Druze or Baha'is .However, there is no record of any religious group being banned from practicing its faith The Shari'a courts handle all family concerns for Muslims, while non-Muslims are governed by special courts that apply the laws of their faith. There exists some discrimination against adherents of unrecognized religions.

Conversion to Islam by Christians is allowed; however, a Muslim may not convert to another religion. Muslims who convert to other faiths complained of social and government discrimination. Under Shari'a law, converts are regarded as apostates and may be legally denied their property and face the possible loss of civil rights and child custody.

On September 13, parliament approved a measure that allows only a state-appointed council to issue fatwas (religious edicts) and made it illegal to criticize these fatwas. Islamist MPs rejected the law on the basis that it curds religious freedoms and freedom of expression.

6. Women and the Marginalized

The law provides for equality between men and women and prohibits bias or discrimination on the basis of race or ethnicity. Yet in practice women and some minorities suffer from discrimination in employment and other areas. Women have not always enjoyed equal pay for equal work, and social pressures have tended to discourage women from pursuing a career. Women enjoy equal political rights but face discrimination under Shari'a in family matters, such as marriage, divorce, inheritance and child custody, as well as in regard to pensions and social security benefits. Men are accorded lenient treatment in so-called "honor" crimes against women for alleged sexual misconduct. Women presently constitute 50% of university students but only 14% of the workforce but the government is exerting efforts to recruit women into the civil service.

In February 2003 the government included a six-seat quota for women in the Chamber of Deputies. In a step to involve women in public life the government has appointed one woman to each municipal council in which no woman candidate won a seat through election. There is one female minister in addition to seven women in the Senate, and six in the Chamber of Deputies. Of the 110 seats in the lower house, nine are reserved for Christians, nine for Bedouins, and three for either Circassian or Chechen minorities. In general, one of the major impediments to the emancipation of women is the resistance put up by the Islamists. Thus in June 2004 a bill allowing women equal right to divorce was defeated in Parliament largely as a result of Islamist pressures in coalition with traditional tribal opposition.

Violence against women is widespread, although the full extent of the problem was difficult to determine since many incidents went unreported. Although in recent years the government has taken steps to increase the resources available to help abused women, cultural norms continued to discourage victims from seeking medical or legal assistance. NGOs such as the Jordanian Women's Union, as well as the family Protection Unit of the Public Security Directorate also offered a comprehensive support program for victims of domestic violence and sexual assault. Wife-battering technically is grounds for divorce, but a husband may seek to demonstrate that he has authority from the Quran to physically correct a perceived irreligious or disobedient wife. Honor crimes are also not infrequent. In 2005, 15 killings were reported, and in 2006, ten.

Palestinians claim that invisible ceilings for appointments to positions in the government and the military persist, and admittance to public universities and the granting of university scholarships is regulated by a quota system. Citizens of Palestinian origin also complain of under-representation in parliament, and even socially well-situated Palestinian-Jordanians claimed that their national origin results in dismissive and discriminatory attitudes from East Bank Jordanians.

II. Prospects for Democratic Change

Although many problems still remain, respect for human rights has of late shown significant improvement. The opening of the doors to political participation by Islamic groups has attenuated their rhetoric to a large extent, and their inclusion in the political game as legitimate players must be

counted as a step that enhanced democracy in Jordan. On the other hand, the entrance of the Islamists in parliament has worked to suppress bills submitted by the government to amend family law in ways that would have given women greater equality. Also, due to its contiguous proximity to Iraq and both Israel and Palestine-Jordanian popular sentiment remains much more deeply engaged with the Iraqi and the Palestinian-Israeli problems rather with the expansion of domestic democratic institutions. However, the strong cordial relations between Jordan's Kind Abdullah and the United States permits one to expect that friendly American prodding will eventually lead Jordan's regime to take some serious initiative to institute democratic changes.

Although the King has publicly demanded from his successive governments political reforms, little is being done precisely because the government in the Jordanian system serves at the King's pleasure, and his frequent dismissal of an incumbent government and its replacement by a new one— without much explanation— leaves the King the primary cause for the stalled reform process. In short, the problem is structural: the Jordanian King, as all other Arab monarchs, dominates the political arena with little real power left to any other political agent or institution. Reform must begin by allowing the party that wins the election to form the government and be accountable to the parliament which should have the authority to either retain or dismiss it.

Kuwait

Capital: Kuwait City
Date of Independence: 19/6/1961
Area: 17820 Km^2
Population (in millions): 2,418,393 (est. 2006)
Rate of Population Increase: 3.52% (est. 2006)
Ethnic Groups: 45% Kuwaitis, 35% Other Arabs, 9% South Asians, 4% Iranians, 7% others
Religious Groups: 85% Muslims (70% Sunna, 30% Shi'a), 15% Christians, Hindus and others
Percent of Illiteracy: 16.5%
No. of Provinces: 6 governorates
Polity: constitutional hereditary emirate
Head of State: Emir (Prince)
No. of Political Parties: There are no official political parties
GDP (in billions)—ppp: $ 52.71 (2005)
GDP per Capita—ppp: $21,600 (2005)

Overview

Kuwait existed as a political entity since the early eighteenth century. All Kuwaiti Emirs since 1756 came from the al-Sabah family which held strong ties with the most prominent merchant families and tribes. It became a British protectorate in 1899 and gained full independence in 1961. In 1990 it was overrun by the armies of Iraq under Saddam Hussein. In 1991, Kuwait was liberated by an allied coalition led by the United States. Since then Kuwait has lived under the constant threat of a renewed Iraqi aggression, that is until the United States, at the head of another coalition, launched a military campaign in March 2003 against Iraq and toppled the regime of Saddam Hussein.

I. Political Rights and Civil Liberties

1. The Executive, Political Parties and Elections

The country's first constitution (1962) accorded the Emir broad executive powers, as well as legislative power, which he shares with a popularly elected National Assembly (parliament). The Kuwaiti Parliament acts as a partial check on the powers of the ruler but its influence is undermined by a series of restrictions imposed by the executive on political and civil liberties. The broad powers wielded by the Emir enabled him to suspend parliament from 1976 to 1981; then again from 1986 up until 1992, when it was restored after the invading Iraqis were driven out in 1991. Since then, Kuwait remains the only Gulf country with a legislature that serves as a strong check on executive power. It is also the only Arab parliament that forced cabinet ministers to resign, and succeeded in passing legislation over strong objections from the Royal Family and the reigning ruler, such as the law that required segregation of universities by gender. The Assembly is strong enough to force executive concessions by withholding approval of bills, which are submitted by the government until it yields on other key issues. The drawback of this legislative strength is that it frequently creates a deadlock between the government and the legislature that slows the pace of economic and other reforms. A striking example of this is that in 2004 Parliament, led by the Islamists and conservative tribal members, defeated for the third time the government sponsored bill that would have given women, along with the Bedouin the right to vote and run in parliamentary and municipal elections. However, in May 2005 the National Assembly finally granted women the right to vote and run for office, and later the government appointed several women to serve on the municipal council. Islamist MPs amended the law granting women the vote to mandate that women behave according to Shari'a law while participating in politics.

Political parties are banned; however, several political blocks —with well known affiliations— exist and are active in the National Assembly. The government does permit civic groups to be politically active, but in January 2005 when a group of Salafi Islamists attempted to establish an opposition party (*Hizb al-Umma*), they were charged with planning to overthrow the regime as well as violating laws of association and the press. They were later interrogated, released on bail, and their case was never tried. The last national elections took place on 26/7/2003 and were free and fair. Some 246 candidates competed for the 50 parliamentary seats, and voter turnout was

81%. The results showed a solid representation of the traditional tribal groups. The Islamists maintained their same representation of 15 seats while the liberal block suffered a considerable defeat when most of its leaders lost their seats. This vibrant contestation for the legislature is all the more remarkable considering that political parties are banned. Universal suffrage does not exist since women continue to be denied the vote in national elections (but permitted in municipal ones).

On January 15, 2006, Sheikh Jabir al-Ahmad al-Jabir died and was succeeded by the infirm crown prince, Sheikh Saad al-Abdallah al-Salim. After internal negotiations, Sheikh Saad was in turn succeeded by Prime Minister Sheikh Sabah al-Ahmed al-Jabir. The Kuwaiti parliament is largely seen as responsible for forcing this second succession, an unusual display of power by a legislative body in a Gulf monarchy. The new cabinet contains one woman, who had been appointed in 2005.

Due to widespread vote rigging, a movement began in May 2006 to consolidate Kuwait's 25 electoral districts into 5 larger constituencies, in order to make vote buying and election fraud more difficult, but more importantly, to make elections more nationally oriented and less based on sectarian or tribal considerations. Additionally, larger constituencies would make the districts more broadly representative and less influenced by tribal or sectarian factors. Early elections were held under the old system, but women were able to participate for the first time, though none of the 28 female candidates that ran were elected, although women comprise 57% of Kuwait's 345,000 eligible voters. Voter turnout was 65%, though only 35% among female voters. Opposition candidates, part of an uneasy coalition of Islamists, liberals and populists, won 33 out of 50 seats.

2. The Judiciary, Trials, and Detention

The Judiciary system is not entirely independent, as the judges are appointed by the Emir for limited terms and renewal of their tenure is subject to governmental approval. However, frequently the courts rule against the government, as happened, for example, when the Court of Appeal overturned in December 2004 a primary Court prison sentence against a religious leader accused of insulting the Emir. Trials are open and relatively fair, and defendants can appeal verdicts and are entitled to legal counsel. Arbitrary arrests and detention are rare; and suspects can only be detained for 4 days in police custody before being brought before an investigating official. Prisons, according to U.S. State Department reports "meet or exceed

international standards." Misdemeanors and felonies are tried in secular courts, while Islamic courts deal with personal status cases and family issues, with Sunni and Shi'a Muslims having separate Shari'a courts.

3. Civil Society and the Freedom of Association

The Constitution provides for freedom of association and assembly. But these freedoms in practice are limited. All NGOs must obtain a license and register in the Ministry of Social Affairs and Labor (MOSAL), which maintains a close control on all organizations and is empowered to dissolve any association if it deems its activity inappropriate or if it has misused its financial resources. Public gatherings require prior governmental approval, but in practice, however, associations organize informally, and informal social gatherings, called diwainyas, provide a forum for political debate and discussion. There are 52 licensed NGOs, but since 1985 MOSAL has granted only a very limited number of new licenses. Registration requests of about 95 NGO are pending. However, hundreds of unlicensed associations operate without hindrance. Licensed NGOs receive government funding that cover operating expenses. In October 2004 the government licensed the first human rights association. In addition, it created a committee composed of intellectuals, professionals, and religious leaders, to devise strategies to combat extremist Islamic ideologies.

Though demonstrations are discouraged, there were a few peaceful public demonstrations, which the government allowed without interference. In 2005, women's organizations and their supporters held numerous demonstrations in front of parliament demanding the right to vote. The "Orange Movement" protests, which occurred in May 2006 in favor of redistricting, were largely peaceful with only one injury reported. Trade unions and professional syndicates are permitted provided only one exists per industry or profession. Private sector workers have a limited right to strike, but foreign domestic laborers, who comprise one-third of the non citizen workforce, may not associate or organize. Since government subsidizes 90% of the expenses of labor unions the latter are deeply influenced by the state.

On May 1, Kuwait's Constitutional Court revoked as unconstitutional 15 clauses of the Public Gatherings Law No. 65 of 1979, which restricted public gatherings without prior permission from the authorities. Observers believe this ruling sets a precedent in Kuwait by challenging the emergency powers of the Emir; historically the Constitutional Court has shied away from ruling on the constitutionality of laws issued in the absence of parliament.

4. Freedom of Speech and the Media

The broadcast media is government owned, but the press is privately owned and is permitted a wide margin of freedom of expression. Several laws allow the government to indict journalists on a variety of offenses. The law permits the government to shut down any publication and arrest its writers on such vague charges as "distortion of public moral principles," "denial of God and his prophets," "harming the national interest" or "seeking the fragmentation of society." But this law has rarely been applied and none were ever convicted under its terms. On May 15, journalist, Hamid Buyabis was imprisoned for criticizing the Emir, and on November 20, Khalid Obaysan al-Mutairi was imprisoned for writing an article that seemed to support Saddam Hussein as the legitimate leader of Iraq. Both journalists were released after only a day in jail. The press regularly criticizes the government and its domestic and foreign policies. But direct criticism of the Emir is avoided through self-censorship. The government has proposed a legislation that would set a limit to the number of newspapers that are licensed each year, but strong protest from journalists has so far held up passage of the bill.

The Kuwaiti parliament approved a new press law on March 6, which replaces the 1961 press and publications law. The new law prohibits the arrest and detention of journalists until a final court verdict is delivered by the Supreme Court. It allows citizens whose applications for newspaper licenses are rejected to sue the government in court (the 1961 law gave applicants the right to appeal only to the government itself). While the new law prohibits the closure of publications without a final court verdict, publications may be suspended for up to two weeks for investigation. It also bans jailing journalists for all but religious offenses, criticisms of the Emir, and calls to overthrow the government, stipulating up to one year in jail for these offenses and fines ranging between US$17,000 and US$70,000.

The Ministry of the Interior (MOI) censors all books, films, periodicals, videotapes, and other imported publications deemed morally offensive as well as the media for political content. The MOI controlled the publication and distribution of all informational materials and did not grant licenses to political magazines. Internet service and foreign satellite TV access is unhindered.

5. Freedom of Religion

Islam is the State religion. Sunni and Shia Muslims worship freely, as do the 150,000 Christians. Members of religions not sanctioned in the Qu'ran such as Sikhs, Hindus, Baha'is and Buddhists may practice their

religion freely in private but are not allowed to build public places of worship. Despite the fact that 30% of the population is Shi'a, the government licenses few Shi'a mosques; as a consequence the Shi'a have only 36 mosques compared to 1300 Sunni mosques. The teaching of non-Muslim faiths is not permitted in schools or public places, and is limited only to the confines of certain officially recognized churches and private homes. Quotas exist on the amount of staff that churches are allowed to bring from abroad, and it is now near impossible to build new churches to serve the ever-growing community of expatriate Christians in the country who number over 300,000. The Greek Catholic (Melkite) Church went through a protracted struggle with the municipal Council to secure a piece of land on which to build a new church. The request was eventually denied on July 8, 2006. The issue caused a number of prominent parliamentarians and religious figures to vociferously condemn the idea of building more churches in the country. Proselytizing to Muslims is banned.

6. Women and the Marginalized

Women are subject to discrimination legally, politically and socially. They are disadvantaged in matters of divorce and inheritance, which are based on Shari'a and must have the permission of a close male relative to obtain a passport. Muslim women may not marry non-Muslim men. Also, if married to a non-Kuwaiti, they cannot confer citizenship to their children. Women remain underrepresented in the public and private workplace, but their numbers are growing. Women's associations, which enjoy strong government support, are numerous and have considerable influence. Although women represent 70% of university graduates, there is only one woman in the cabinet (currently the Minister of Planning and Minister of State for Administrative Development), and a few hold relatively senior non-political posts in the state bureaucracy and a woman represents Kuwait at the United Nations. Shi'a are also severely underrepresented in the government.

Despite their newly enfranchised status, women faired badly in the parliamentary elections. Out of 249 candidates, 28 where women, and they were all defeated, even though, even though more than 60% of voter turnout were women.

However, in June, 2005 the prime minister appointed Masouma al-Mubarak Minister of Planning and Administrative Development. She is the first female cabinet minister in the nation's history.

A major problem in Kuwait is that of the 80,000 Bidoon, or stateless people, who are considered illegal residents and denied full citizenship rights unless they can prove that their forebears were residents in Kuwait since 1965.

While discrimination based on religion reportedly occurred on a personal level, most observers agreed that it was not widespread. Sunni-Shi'a relations are good overall and while tensions from regional conflicts led to increased attention to the issue, few if any tangible problems resulted. However, there was institutionalized discrimination against Shi'a. Some Shi'a reported that they had been passed over for promotions and suspected their religious affiliation was the reason. Shi'a were underrepresented in certain branches of the military and security apparatuses.

II. Prospects for Democratic Change

Although Kuwait has the oldest and most advanced democratic experience in the Gulf region, it has so far failed to establish modern democratic institutions. It remains captive to inherited traditional tribal practices and culture. Despite the ban on political parties, it succeeded in organizing tribal groups into effective political forces. Nevertheless, the system contravenes basic democratic norms and values which are grounded in the equality of rights for all citizens regardless of gender or religion, the separation of powers within the state, and the establishment of competing political parties, which would allow change of government through free and fair contested elections. Under the present system, Kuwait cannot change its government democratically. The rising power of the Islamists in Kuwait, despite strenuous resistance by the relatively small liberal forces, is also an additional impediment to the establishment of a liberal democratic system in the foreseeable future. Although the reactionary influence of the Islamists in Kuwaiti society is considerable, this is largely counteracted by the seeming determination of the government to expand the margin of liberal practices, particularly with regard to women and minorities. All political forces have agreed on a list of major issues that require reform, including the electoral and judicial systems as well as the publications law. The major disagreement within the ranks of the competing political trends is between the liberal and the Islamic movements concerning the implementation of Shari'a and personal freedoms.

Lebanon

Capital: Beirut
Date of Independence: 22/11/1943
Area: 10,452 Km²
Population (in millions): 3.8 (est. 2005(
Rate of Population Increase: 1.3% (est. 2005 (
Ethnic Groups: 95% Arabs, 4% Armenians, 1% others
Religious Groups: 70% (Muslims different sects), 30 Christians
Illiteracy: 22.6%
No. of Provinces: 5
Polity: Republic
Head of State: Emil Lahoud
No. of Political Parties: 19
GDP (in billions)—ppp: $21.45 (2005)
GDP per Capita—ppp: $5,500 (2005)

Overview

Lebanon was established as a French protectorate in 1920 in accordance with the Anglo-French Sykes-Pico Agreement following World War I. In 1943, it won its independence. Lebanon since then has managed to maintain a precarious democracy based on the allocation of parliamentary quotas and the division of the top government posts between the 17 officially recognized different religious and ethnic groups that make up the Lebanese population. The mandated Christian presidency and the original 6-5 ratio of Christian to Muslim parliamentary seats came under challenge in 1975 when the initial slight Christian majority turned into a minority due to demographic changes brought about by an increased birth rate among Muslims and the influx of Muslim immigrants. In 1975 war broke out between Muslim militia aligned with the Palestinian guerrilla forces that resided in the country and Christian militia determined to maintain the status quo of Christian privilege. The war lasted for 15 years and brought into the fray Syrian military forces, and Iranian involvement (after 1979) in support of Lebanon's large Muslim Shi'a community. This confusion of the situation was further compounded by the Israeli invasion of Lebanon in 1982 in an

attempt to oust the Palestinian forces that had founded a strong base there from which it conducted sporadic border attacks against Israel. The war was brought to an end in 1989 on the basis of an agreement concluded in Ta'if, Saudi Arabia, brokered by several Arab countries. The agreement provided for a Syrian military presence in Lebanon to maintain peace and provide the stability needed for the rebuilding of the state's institutions, which had been destroyed completely by the 15-year civil war. Until their withdrawal in April 26, 2005 due to international pressure after the assassination of the former Prime Minister Rafiq Hariri, Syrian troops remained an ever-present and influential force in Lebanon. Even after withdrawal of its forces Syria still retains a significant albeit a diminished and more discreet influence in Lebanese affairs. During the year the UN International Independent Investigation Commission (UNIIIC), established under UNSC resolution 1595, continued its investigation into the February 2005 assassination of former Prime Minister Rafiq Hariri. While preliminary reports over the last year have pointed to possible linkages to Syrian intelligence services, no firm conclusion was reached by year's end.

Political assassination has become a recurring feature of the Lebanese political scene. Over 15 car bombings took place in 2005, mostly targeting critics of Syria, such as the former Prime Minister Rafiq Hariri, LBC anchor May Chidiac, prominent journalists Gebran Tueni and Samir Kassir, and the former Communist Party leader George Hawi. All the assassination attempts except for those against May Chidiac and the pro-Syrian Elias Murr were successful. Then, on November 21, 2006 a team of gunmen killed industry minister and prominent anti-Syrian Christian politician Pierre Gemayel.

Then, in 2006 the July-August conflict involving Israel and Hizbullah erupted on July 12, when Hizbullah entered Israel from Lebanese territory and kidnapped and killed several Israeli soldiers. Israeli military forces responded by a large-scale bombing of Lebanon and the invasion of Lebanese territory, while Hizbullah retaliated with rocket attacks on Israel. The conflict ended with a UN-sponsored cessation of hostilities on August 14. The death toll was 1,300 Lebanese and 50 Israelis.

According to the Internal Displacement Monitoring Center, at the height of the conflict, up to one million persons fled their homes; approximately 735,000 were internally displaced while some 230,000 fled to neighboring countries. In addition, some 16,000 Palestinian refugees were secondarily displaced. According to the governments Higher Relief Council, more then 700,000 displaced persons and refugees had returned to their homes.

Despite the cessation in hostilities and the deployment of Lebanon Armed Forces (LAF) and United National interim Forces in Lebanon (UNIFIL) in the South, Hizbullah retained significant influence over parts of the country, and Palestinian militias retained control of refugee camps, beyond the reach of state authorities.

I- Political Rights and Civil Liberties

1. The Executive, Political Parties and Elections

The President, who must be a Maronite Christian, is chosen for a 6-year term that is not renewable by the 128-member parliament, subject (since the end of the civil war) to prior Syrian approval. The political quota arrangement requires that the Prime Minister be a Sunni Muslim and the Speaker of the Chamber of Deputies (Parliament) a Shi'a Muslim. Parliamentary seats are divided equally between Muslims and Christians. Political parties are subject to the same law that governs NGOs and are legally free to operate.

There are four major political parties and numerous smaller ones. The largest party in the parliamentary majority is the Future Movement, led by Saad Hariri. Its membership is predominantly Sunni, but Hariri's parliamentary bloc includes a number of members of other sects. The Progressive Socialist Party, led by Walid Jumblatt, predominantly represents Druze interests and is allied with the Future Movement. The Free Patriotic Movement, led by Michel Aoun, represented a significant portion of the Christian community. The party's leadership decided to remain outside the cabinet. Two smaller Christian parties are the Lebanese Forces, led by Samir Ja'ja, and the Phalange party, led by former president Amin Gemeyal. The largest party representing the Shi'a community was Hizbullah, led by Hassan Nasrallah. A smaller Shi'a party, Amal was led by Speaker of Parliament Nabih Berri. A number of smaller parties existed, or were in the process of forming, but the larger, sectarian-based parties still maintained the greatest influence in the country's political system.

Elections are run and supervised by the Ministry of Interior rather than by an independent election committee. According to international observers the last parliamentary elections of 2000 were flawed due to Syrian influence and weak security, though the recorded irregularities were fewer than in the previous elections of 1996. In September 2001, municipal elections were

held for the first time since 1963 in 64 villages and towns previously occupied by Israel. The latest municipal elections, held in 2004, exhibited broad participation by the various political groups, but voter turnout was low. The Islamic Shi'a Hizbullah won 60%. On 4/9/2004, under Syrian pressure, and despite strong domestic and international objections, the Lebanese constitution, which allows only one 6-year presidential term, was amended to allow the extension of another 3 years after the term of incumbent President Emil Lahoud came to an end. As a consequence the UN passed the US-French resolution 1559 calling on the withdrawal of the 14,000 Syrian troops that were stationed in Lebanon since 1975, which occurred in April 2005. Since the Syrian withdrawal, the Lebanese Forces Party, which was banned since 1994 by successive pro-Syrian governments, resumed its activities under the leadership of Samir Geagea. After Hariri's assassination, the formation of an anti-Syrian majority in parliament and the arrests of senior presidential aides over the killing placed Lahoud under great pressure to resign .

In June, and without a Syrian military presence for the first time in thirty years, several Christian political groups that had boycotted the 1996 and 2000 elections participated in the 2005 elections, most notably General Michael Aoun's Free Patriotic Movement and Samir Geagea's Lebanese Forces Party. The pro-liberalization coalition of Rafiq Hariri won 72 seats out of a total 128, and the Aoun Alliance won 21, bringing the liberal forces' segment of the parliament to 72.7%. The pro-Syrian Resistance and Development Bloc that included Hizbullah won only 35 seats (27.3 %).

Before the summer war between Hizbullah and Israel, electoral reform was among the Lebanese government's foremost priorities. On June 1, the cabinet began deliberating a draft electoral law proposed by the national electoral law committee, but the summer war and the ensuing political crisis have forced other political considerations to the fore.

On November 11, six opposition cabinet ministers resigned (five from the Shi'a parties, one from the allied Christian Free Patriotic Movement) after talks on power-sharing failed. The opposition had asked for one third plus one of the total cabinet posts, thus giving it veto power, to reflect the growing demographic power of the Shi'a. This was rejected by the ruling March 14 Coalition.

On November 21, Industry Minister Pierre Amine Gemayel was assassinated, bringing the number of empty seats in the cabinet to seven, two short of the nine needed for it to be legally obliged to disband. Political

deadlock gave way to massive protests, which in turn gave way to the failed intervention of the Arab League.

2. The Judiciary, Trials, and Detention

Although the Constitution provides for an independent judiciary, it is in practice subject to executive pressure, as well as Syrian political pressure, which affects the appointments in key judicial and prosecutorial positions. There is also an intermingling between the judiciary and the prosecutorial system that undermines the autonomy of the Courts. The Ministry of Justice appoints judges on the basis of religious affiliation. Trials are generally public, and defendants' rights are often observed even in military courts, which try cases of treason, espionage and draft evasion. Although the law prohibits arbitrary arrest and requires a warrant to make an arrest this is often ignored. The most recent report (2001) by the Parliamentary Commission for Human Rights puts the number of prisoners at 7230, with only 2500 of them actually tried and convicted. Security forces continue the practice of arbitrary arrest and detention of suspected criminals, and the frequent use of torture to extract confessions. They also often detain, usually for short periods, political opponents and critics of the Syrian government. In January 2004 capital punishment was re-instituted after a six-year moratorium, despite strong objections and strong EU pressure .

After the withdrawal of Syrian troops, and for the first time since the end of the Civil War in 1990, questions about the independence of the judiciary and the professionalism of the security forces has become a subject of public debate.

3. Civil Society and the Freedom of Association

Freedom of association and assembly though provided for in the Constitution are in practice partially restricted. Newly established NGOs need only notify the Ministry of the Interior and provide information about their purpose and internal by-laws in order to be registered. There has been a great increase in the last few years in the number of private voluntary associations, many of which, though, are of a sectarian nature; but there are also several that are exclusively concerned with human rights. A number of local and international human rights groups generally operated freely without overt government restriction, including the Lebanese Association for Human Rights, the Foundation for Human and Humanitarian Rights, the

National Association for the Rights of the Disabled, and Amnesty International, all of which investigate and publish their findings.

Public demonstrations are not permitted without prior approval from the Ministry of the Interior, although peaceful demonstrations in support of Palestinians and other causes have been allowed to proceed without government interference. However, unauthorized anti-Syrian demonstrations are harshly suppressed by the security forces, which often beat and arrest participants. Clashes between the police and students demonstrating against anti-democratic measures occur often. All workers, except government employees, may establish and join unions. The labor force is about 900,000, 14% of whom are members in 210 labor unions and associations. Unions are free to affiliate with international federations, and 37 Lebanese federations with some 200,000 workers were represented in the General Confederation of Labor .

4. Freedom of Speech and the Media

The Constitution provides for freedom of speech and the press but this is not strictly observed in practice. Activists critical of government policies have frequently been arrested and detained and journalists and broadcasters have been intimidated in order to force them into self-censorship. Despite such government attempts to curb criticism tens of independent newspapers continue to attack government policies. The press is privately owned and many receive foreign funding and reflect the opinions of their financial backers. The government's Surete Generale (SG) censors all foreign publications and films. A special Publications Court tries offenders who "attack the dignity of the President or foreign leaders." A 1991 security agreement concluded with Syria, prohibiting the publication of any material that may be harmful to either state, has succeeded in causing journalists to practice self-censorship in matters related to Syria in order to avoid the risk of prosecution. During the Syrian occupation, the government harassed, abused and detained journalists. Since the Syrian evacuation, however, the situation for journalists has improved considerably. The 1991 security agreement between the government and Syria, still in effect, contains a provision that prohibits the publication of any information deemed harmful to the security of either state. The withdrawal of Syrian troops and decrease in Syrian influence, however, encouraged Lebanese journalists to be open in their criticism of Syrian and Lebanese authorities alike.

There are six independent television stations and 36 independent radio stations, owned by prominent political and business elites. Satellite television is available widely. The broadcast media operates relatively freely with only occasional governmental intervention. A recent prominent example of such intervention is the case of MTV whose news editor was prosecuted in 2002 for "broadcasting material that damages ties to a sisterly nation" (Syria) and "assailing the dignity of the President, slandering the security services and undermining social order." Internet access is free and widely used.

5. Freedom of Religion

Although sectarianism is intrinsic to the Lebanese political system, the Constitution guarantees freedom of religion, and this is protected in practice. The government subsidizes all religions, and Muslim religious judges who deal with family law receive a monthly salary from the state. There is no state religion; politics, however, is largely based on the principle of religious representation. There is no legal prohibition against proselytizing; but traditional norms strongly disapprove of such activity. Occasional sectarian violence occurs on a limited scale and is attributable to individuals rather than collective action.

6. Women and the Marginalized

Though the Constitution provides for gender equality yet in practice some aspects of the law and traditional social norms discriminate against women. There are only six female MPs and two female cabinet ministers. Religious courts may require a battered wife to return home despite a clear history of being subject to abuse. Many family and personal status laws discriminated against women, giving a son twice the inheritance of a daughter. Although Muslim men may divorce easily, Muslim women may do so only with the concurrence of their husbands or through the courts.

The law is discriminatory in its lenient treatment of "honor crimes" in which a man kills a wife or female relative for alleged sexual misbehavior. Women also do not receive equal social security provisions. No woman has ever been a cabinet minister and only three women are in the 128-member parliament. Numerous NGOs exist that are concerned mainly with the welfare of women, and many of these conduct campaigns to encourage women to participate actively in public life. According to a UNRWA report in 2005, over 400,000 Palestinian refugees live in overcrowded camps. The

government prohibits the building of permanent structures in the camps on grounds that this would encourage permanent residence. The refugees have no right to own property, and suffer from numerous deprivations in services and social benefits as a result of their status as stateless foreign elements in the country. In 2005, the Labor Ministry opened up professions previously closed to Palestinians.

II. Prospects for Democratic Change

The infrastructure of a vibrant democracy is already in place. The sectarian political system will, nevertheless, continue to impede the development of a full-fledged democracy. Lebanon remains, however, a far more open and liberal society than any other Arab country. Unfortunately, this openness, together with the multiplicity of religious sects and their affiliated political quota representation, have invited outside forces to play an influential role in Lebanese politics through the funding of its supporters and agents, thus fostering a fragmentation of the political system and a weakening of the central government— all factors which negatively impact the cause of democracy. On the other hand, Lebanon's highly diverse and dynamic civil society and its openness to Western influence augers well for a rapid democratic consolidation once Lebanon succeeds in freeing itself from the dominant Syrian influence on its domestic politics. While civil society is in a state of political ferment, the prospects for establishing a stable democracy are getting dimmer as society seems to have fragmented along religious and ethnic lines that are becoming firmer by the day. The existence of Hizbullah as virtually a state within a state detracts from the legitimacy of the government, impeding both the state-building process, as well as the consolidation of effective government institutions.

Libya

Capital: Tripoli
Date of Independence: 15/6/1951
Area: 1,759,540 square kilometers
Population (in millions): 5.8 (est. 2005(
Rate of Population Increase: 2.39% (est. 2005 (
Ethnic Groups: 97% Arabs and Berbers, 3% Greeks, Malts, Egyptians, Pakistanis, Turks, Indians & Tunisians
Religious Groups: 97% Muslims (Sunna), 3% other religions
Illiteracy: 17%
No. of Provinces: 25 Municipalities
Polity: Republic
Head of State: Colonel Muammar al-Qadhafi
No. of Political Parties: There are no political parties
GDP (in billions)—ppp: $74.97 (2005)
GDP per Capita—ppp: $12,700 (2005)

Overview

After centuries of Ottoman rule, Libya was invaded by Italy in 1912, and then occupied by the British in the wake of the Second World War. In 1951, the pro-Western king Idris of Libya succeeded in gaining his country's independence. In 1969, Colonel Muammar al-Qadhafi seized power in a military coup amidst growing anti-Western sentiments, particularly against the giant oil companies and the military bases in the region. During the 1980s and most of the 1990s, Qadhafi espoused a policy of virulent hostility towards the West. His sponsorship of terrorism, especially towards Western interests, and his assassination of Libyan political dissidents living abroad, made him an international pariah. The suspected Libyan involvement in the 1988 bombing of Pan Am flight 103 over Lockerbie, Scotland prompted the United Nations in 1992 to impose a broad range of sanctions on Libya. The United States on its own had already imposed sanctions on Libya because of its sponsorship of terrorism. With the economy stagnating and the county's infrastructure in a state of advanced deterioration as a result of the sanctions,

Qadhafi took radical steps to end Libya's international isolation. He handed over for trial in a Scottish court the two Libyans suspected of executing the Pan Am bombing (one was acquitted, the other was sentenced to life), and paid billions of dollars in compensation to the families of those killed in the bombing of a French plane downed over Niger in 1989. While working to improve his image abroad, Qadhafi has become increasingly estranged in the Arab world. Increasingly critical of the Arab countries for not having supported him during his years of isolation, and for their political failure to assume a common policy with regard to the Palestinian and other problems, Qadhafi, once a foremost leader of Arab unity, now disengaged himself from his Arab neighbors and turned towards Africa. On May 15 the United States removed Libya from the list of state sponsors of terrorism and reopened its embassy in Tripoli "in recognition of Libya's continued commitment to its renunciation of terrorism and its excellent cooperation in response to common global threats faced by the civilized world since September 11, 2001." Thus Libya's pariah status was ended, and Western capitalists flocked to do business with Libya as of old.

I- Political Rights and Civil Liberties

1. The Executive, Political Parties and Elections

The Libyan System (excepting that of Saudi Arabia) is unique among the forms of contemporary governments. It rejects political parties and considers any party activity treasonable. It likewise rejects the Western concept of democracy, espousing instead a so-called Third Way that is purportedly superior to both capitalism and socialism. In theory, the country is to be ruled through a series of grass-roots popular congresses, which together constitute the General People's Congress (GPC). These congresses are then to select a General People's Committee whose members are supposedly the heads of the various government ministries. The GPC is, ostensibly, the legislative forum. It is supposed also to act as the liaison between the masses and the ruler. In practice, however, Qadhafi exercises absolute authority by either direct intervention or through the manipulation of the various congresses and committees of this bizarre form of government.

2. The Judiciary, Trials, and Detention

The Judiciary is not independent of the government. In fact, there is no constitutional guarantee for its independence. The judiciary failed to incorporate international standards for fair trials, detention and imprisonment. Indeed the judiciary itself, as an institution, is ill defined. A unique feature of the regime is that the security forces have the authority to sentence people to prison terms without trial, which happens frequently in cases involving political opposition. Such summary judicial proceedings have been used as a means to suppress domestic dissent. Moreover, Qadhafi can interfere in the administration of justice by altering court judgments or replacing the Supreme Court. Special revolutionary courts try political offenses. Such trials are often held in secret, sometimes in the absence of the accused. The security forces have extra-judicial power, especially in political cases, that enables them to by-pass the judiciary entirely. Arbitrary arrests are commonplace and torture is routinely practiced. But the most egregious oppressive tool is the Law of Collective Punishment, passed in 1997, which permits the state to punish families and even entire villages for offenses perpetrated by individuals. The private practice of law is illegal; all lawyers must be registered members of a special department in the Ministry of Justice. By law the government may hold detainees incommunicado for unlimited periods; many are held in unofficial detention centers controlled by the so-called Revolutionary Committees, that act in an autonomous and arbitrary manner, and that are subject to none but Qadhafi. Under the Purge Law, which is intended to combat corruption, drug trafficking, and atheism, tens of businessmen, traders, and common people have been arbitrarily arrested on charges of corruption or the funding of Islamic fundamentalist groups (who are perceived to be a serious threat to the regime).

In 2002, the People's Court in Tripoli tried 152 professionals, who were arbitrarily arrested four years earlier, for involvement with Islamic organizations. Two were sentenced to death, 68 received life imprisonment, 66 were acquitted and the rest received various prison sentences. In that trial, lawyers were not permitted access to the case files, nor were they allowed to consult with their clients. In fact lawyers were even denied attendance of most sessions of the trial and the judge appointed court clerks to stand in on their behalf. Presumably the lawyers could only submit written briefs. The entire trial and the sentence handed down were such a blatant travesty of justice that, under international pressures, the Qadhafi Foundation (headed by Qadhafi's brother) interceded with the government, asking the

accused be released and integrated into society, since there was no evidence that they perpetrated any wrong-doing against the regime. In February 2004, Amnesty International was granted, for the first time, permission to visit Libya to check on its human rights.

Libya's internal security agency has held Idrees Muhammad Boufayed, a critic of Libyan leader Muammar Qadhafi, in incommunicado detention since November 5, 2006. The US Department of State spokesman on November 16 reiterated calls on the Libyan government to release Fathi Al-Jahmi, a leading human rights activist. Al Jahmi is charged with holding an unauthorized meeting with a foreign official (believed to be a US diplomat). He was initially arrested in October 2002 after delivering a speech at a conference in Tripoli calling for democracy. At year's end, Fathi Al-Jahmi remains in incommunicado detention.

The government reportedly held hundreds of political detainees, many associated with banned Islamic groups, in prisons throughout the country, but mainly in the Abu Salim prison. Some human rights organizations estimated there were approximately two thousand political detainees, many held for years without trial.

3. Civil Society and the Freedom of Association

The law permits the formation of civil associations, but the few that do exist are closely monitored by the government Revolutionary Committees and have little freedom. The government restricted the right of association to institutions affiliated with the government. The formation of groups based on a political ideology is banned. Any activity which the regime considers "opposed to the principles of the Revolution," is deemed treasonable and deserving of capital punishment. In November 2004, the RCs purged the associations of Libyan writers from all individuals whose loyalty to the regime was deemed suspect, and in December 2004, the government again intervened in the Lawyers Syndicate and revamped its structure and by-laws. Independent trade unions and professional syndicates are prohibited, and workers are not permitted to organize in unions. Workers, however, may join the National Trade Union Federation, which is controlled by the People's Committee system. The constitution does not provide for the freedom of assembly, and no public assembly is permitted without prior government approval, which is denied unless the meeting supports the government's position.

4. Freedom of Speech and the Media

The Libyan Constitution guarantees the right of free speech "within the limits of the public interest and the principles of the Revolution." This vague indeterminate clause has imposed a serious restriction on freedom of speech and opened the door to numerous violations by the government against the rights of citizens. Indeed Law 75 of 1973 practically makes political dissent illegal. These constraints on free speech are further augmented by the operation of a pervasive system of informants that created an atmosphere of distrust at all levels of society. The 1991 law of "Fostering Freedom" imposes capital punishment on anyone whose "life constitutes a danger to society or could lead to its dissolution," or anyone who opposes the principles of the September Revolution. Publishing information that is deemed false or detrimental to Libya's image abroad is punishable by life imprisonment. Thus, all political activity is fraught with grave dangers. For example, in March 2005, the government re-detained political activist Fathi Al-Jahmi after he denounced the regime to foreign media. On May 21, 2005, unidentified men abducted writer Daif Al-Ghazal, who wrote website articles critical of the government. On June 2, authorities found his body and later arrested two men. No further information was available at year's end; on July 19, 2005, according to the Libya Watch for Human Rights, Kamel Mas'ud Al-Kilani returned to the country after receiving assurance of his safety, but he was arrested and taken to an unknown destination. No further information was available at year's end; and on January 12, 2005, Abd Al-Raziq Al-Mansuri was arrested after writing some 50 articles and commentaries critical of the society and government for a foreign web site. The government claimed it arrested and sentenced Al-Mansuri in October for illegal possession of a handgun.

However, of late, the Libyan government has shown a greater level of sensitivity to the issue of human rights and in 2001, 2002, and 2003 has released hundreds of prisoners detained on offenses related to freedom of expression. In an odd move the Qadhafi Foundation on 17/3/2004 sued the Ministry of Interior for violating human rights. But it remains that freedoms of speech and the press are severely limited, especially with regard to criticism directed at Qadhafi or the government. The regime, however, has shown some tolerance to differences of opinion in the People's Committee meetings. The government owns and controls both the print and broadcasting media. The state publishes a daily newspaper (with a circulation of about 40,000) and the Revolutionary Committees publish

several smaller newspapers. The government does not permit the publication of any opinions contrary to its own. All foreign publications are severely censored. JANA, Libya's official news agency, is the designated organ for the regime's views. Access to the internet and satellite television is widely available, and, according to a 2006 report by Reporters Without Borders, the internet is no longer censored in Libya.

5. Freedom of Religion

The law provides for the freedom of religion, and the government generally tolerates the discreet practice of other religions but imposed some restrictions. Islam is the state religion, but militant forms of Islam are viewed as a threat to the regime. Since the wearing of a beard was associated with fundamentalist Islam, some Muslims reportedly shaved their beards to avoid security forces harassment. The government also controlled mosques and Islamic institutions and heavily censored clerics.

The World Islamic Call Society (WICS) was the outlet for the state approved form of Islam. The government prohibited Islamic groups whose views were contrary to the authorized teachings. The WICS was responsible for relations with other religions in the country, including Christian churches.

Christian churches operated openly; however the government imposed a limit of one church per denomination per city and prohibited proselytization of Muslims. There were no official places of worship for the practitioners of minority religions such as Hinduism, Buddhism, and the Baha'i faith. In October 2004 Qadhafi expressed readiness to compensate Jews who fled Libya as a result of the Arab-Israeli conflict, with the proviso that these Jews have not taken over in Israel a home that previously belonged to an Arab.

6. Women and the Marginalized

The Libyan Constitution prohibits any discrimination based on gender, but traditional attitudes and practices continue to discriminate against women. Qadhafi has called for greater opportunities for women in education and the workplace, has enlisted women in the military, and established a committee for the purpose of greater incorporation of women in public life. In the 1980s, Qadhafi sought greater freedoms for women by challenging traditional Islamic customs that impeded women's emancipation. He criticized imposition of the headscarf for women, or the necessity of a male guardian to accompany a traveling woman. But by the mid 1990s Qadhafi

modified his liberal policy towards women in order to counter and preempt the Islamists' criticism of his regime. In 2003, however, women were enlisted in the traffic police force, and were called upon by Qadhafi to take up military training and to assume a greater role in development of their community. Although the status of women remains unequal to that of men, the opportunity for women to make notable social progress has increased in recent years. Thus female participation in the workforce, particularly in services, continues to increase despite the persistence of the traditional mores that do not encourage women's participation in public life. This trend is supported by the General Union of Women's Associations established by the government as a network of non-governmental organizations to address women's employment needs.

In general the emancipation of women was a generational phenomenon. Educational differences between men and women have narrowed. Nevertheless, a significant proportion of rural girls do not attend school and the parents are inclined to instill in their children such traditional beliefs as women's subservient role in society.

II. Prospects for Democratic Change

The Libyan regime is a dictatorship relying on an extensive security apparatus. However, three years ago there were high hopes that the near future will witness a significant opening in the regime. Two steps are particularly telling. In May 2003, Qadhafi suddenly declared that "the people do not understand Socialism; hence it shall be abandoned in Libya." This was followed by steps to privatize most public sector industries and encourage foreign investments. This shift to a free market-oriented capitalist economy seems likely to promote a corresponding measure of political liberalization. The second element that gave grounds for hope that the regime might move in a more liberal direction was Qadhafi's new rapport with the West following the removal of sanctions against Libya (after it had paid compensations and dismantled its nuclear program). But unfortunately these hopes were dashed as Qadhafi simply courted Western economic help to revive his country's ailing economy after years of stagnation, while only uttering the rhetoric of concern for democratic values and the human rights of his people without implementing any meaningful reforms. In August 2005, and on several later occasions, Qadhafi's son, Saif Al-Islam, and even

Qadhafi himself, severely criticized the laws that constrain freedoms and promised a whole package of liberal reforms. This seemed to signal the launching of a genuine reform program, but by the end of 2006 nothing had materialized. Nor should one expect anything to materialize unless the revolutionary heritage, which devastated the Libyan economy and enshrined chaos is shed. The first step in this direction would be to eliminate the Revolutionary Committees, and establish modern state institutions — particularly an independent judicial system — that limit the leader's power. Thus, the authoritarian structure of the regime remains unchanged and it is difficult to imagine any genuine democratic change so long as the present regime remains in power.

Mauritania

Capital: Nouakchott
Date of Independence: 28/11/1960
Area: 1,030,700 Km^2
Population (in millions): 3.1 (est. 2005)
Rate of Population Increase: 2.9% (est. 2005)
Ethnic Groups: 40% Arab-Africans, 30% Arabs, 30% Africans (in 2003)
Religious Groups: 100% Muslims
Illiteracy: 59.2%
No. of Provinces: 12 states
Polity: Republic
Head of State: Ely Ould Mohamed Vall
No. of Political Parties: 19
GDP (in billions)—ppp: $8.4 (2005)
GDP per Capita—ppp: $2,600 (2005)

Overview

Mauritania gained its independence in 1960 after 60 years of French colonial rule. In 1978, a military coup overthrew the one-party civilian government of Mokhtar Weld Daddah. Then in 1984 an internal power struggle within the military brought Colonel Mawia weld Sayed Ahmed Taye'e as head of the ruling junta. In 1992, weld Taye'e was elected president in a deeply flawed multiparty election, the first to be held in the country. Weld Taye'e then ruled at the head of virtually a one-party regime when the main opposition parties boycotted the 1992 national elections. The Presidential elections that were held on 7/11/2003 gave incumbent Taye'e another term. Since 1978 the country has suffered a series of either military coups or efforts to overthrow the government. The Mauritanian people include the Beydane (white Maurs) of Arab descent, and the Haratine (black Maurs). Other non-Muslim black Africans inhabit the south frontier area and constitute about one third of the population. Mauritania is one of the world's poorest countries and most of its vast territory is arid land with little natural resources. Most of its wealth is concentrated in the hands of a few elite who

control the country's economy, which is predominantly based on fishing and iron ore exports.

On August 3, 2005, President Taye'e, who had ruled the country for 21 years, was deposed in a bloodless military coup led by colonel Ely Quld Mohammed Fal, who immediately dissolved the parliament and adopted a new constitutional charter that allowed rule by decree and appointed a transitional government. In October 2005 this transitional government (the MCJD and the council of ministers) held national consultations with over 500 political parties, NGO's, and public figures to debate the roadmap to democracy. Following the consultations, the transitional government released a timeline for a transition to democracy culminating in presidential elections in March 2007.

I. Political Rights and Civil Liberties

1. The Executive, Political Parties and Elections

Mauritania took a step towards political reform when Mauritanians in 2001 went to the ballot boxes to choose their representatives for the first time in relatively open national and municipal elections contested by more than 15 political parties. However, the ruling Social Democratic Republican Party (PRDS) was the only party that fielded candidates in all constituencies; it also gained most of the seats that would have gone to independent candidates, after the electoral law was modified to ban independents. The PRDS won 64 out of the National Assembly's 81 seats. In the 2002 municipal elections, which were free and fair, only six opposition parties ran candidates. The opposition won only 15% of the seats. In the November presidential elections, President Weld Taye'e won with 67% of the vote amid widespread allegations of fraud. In fact the government arrested the leading opposition presidential candidate a few days before the elections, giving reasons of national security.

In August 2005, Mauritania's new military rulers who had dissolved parliament and ruled by decree promised a transition to full democracy within two years.

All political parties must register with the Ministry of the Interior. Organized political parties, many of them highly critical of the former government, functioned openly. The former and the transitional governments

continued to ban four political parties: Action for Change, Union of Democratic Forces-New Era , An-Nouhoud, and Taliaa Vanguard.

In June 2006, Mauritania's Constitution was overwhelmingly approved in a referendum. The new Constitution was a first step towards democratic reform. Under its terms, the presidency is limited to a maximum of two five-year terms, while previously presidents could serve an unlimited number of terms. To ensure transparency members of the transitional government, as well as those of the ruling military junta, are barred from taking part in the polls, in fulfillment of the junta's pledge for a free and fair election process to take place in March 2007. The junta has also introduced some historic changes to the political landscape including allowing Mauritania's Islamists, who have been long-barred from political life, to make their debut in the country's democratic march.

The transitional government has continued to take steps to curb corruption. Anti-corruption measures, included the creation of inspectors in each ministre, the use of a merit-based system for government appointments, and the recovery government cars that were being used illegally. During the year the Central Bank also implemented several transparency measures to qualify for debt cancellation, and the transitional government began publishing a quarterly report of its financial operations.

In 2006 the transitional government officially recognized The Forum of Human Rights Organizations (FONADH), a leading coalition of 17 human rights NGOs, which the previous government had refused to recognize. The government also inaugurated the Mauritanian Observatory for the Promotion of the Rule of Law and Democracy, an NGO responsible for monitoring the executive branch and defending the Constitution.

2. The Judiciary, Trials, and Detention

The judiciary is not independent. Though the Constitution provides for judicial autonomy, in practice the courts are deeply influenced by the executive through the latter's ability to appoint and dismiss judges. Moreover, the system's poorly educated and poorly trained judges are vulnerable to social, financial and tribal pressures. There is a modernized system of courts that are all run on the basis of the Islamic principles of Shari'a. Trials are fair and open and due process is observed; however women are not treated as equal to men in all cases. A judicial reform program is underway.

Previously, following the suppression of the attempted military coup in June 2003, the government arrested tens of suspects from all shades of the political spectrum, and even the Secretary General of the ruling party was arrested on June 22, and large numbers of suspects in the army, the police and the bureaucracy were summarily fired without trial. In 2004 lawyers of the defendants in the ensuing trials were also subsequently arrested when they complained of serious irregularities in the procedures that denied the defendants a fair hearing. There is also evidence of systematic torture and inhuman treatment meted out to those accused of subversive activities .There are credible reports that police routinely beat and tortured suspects in custody; and that those who lacked money or influential family or tribal ties were the most likely to be tortured. On June 21 2005, Mamadou Salui Diallo, a 58–year-old Guinean fisherman, died from injuries he sustained while in police custody.At present, arbitrary arrests and detentions are not infrequent but reports indicate that there is a growing respect for the legal rights of citizens. While detention is supposed not to exceed 48 hours, it can be extended up to 30 days in security cases. Attorneys are not available to a prisoner until officially charged. Prison conditions in Mauritania remain harsh, but conditions under the transitional government have slightly improved.

In August 2005 the new regime, which had secured the backing of Islamic groups in the country, freed around 20 alleged Islamic extremists jailed by the ousted regime. During 2005, there was no evidence that either the former or the transitional government or their agents committed politically motivated killings; however, security forces killed several persons during confrontations with demonstrators.

There were reports of political detainees. From March to July 2005, the former government detained approximately 80 Islamists. The transitional government released most of them soon after assuming power for lack of evidence, leaving 21 in prison.

In 2006, more than 200 Mauritanian exiles decided to return after the transitional government granted a general amnesty.

3. Civil Society and the Freedom of Association

The Constitution provides for the freedom of association but in practice the government imposes restrictions in order to suppress opposition parties and organizations. All NGOs must register with the government. About 600 NGOs exist, including human rights and anti-slavery groups, which operate

freely without hindrance though many are critical of the government. Other NGOs though not yet accorded official status are nevertheless not prevented from functioning. Some black African groups and Islamist parties are banned. Groups were often refused recognition under laws which prohibited the formation of racially or religious-based organizations. These laws were used by the former and transitional governments to ban Islamist political parties (though Islamists were allowed to run for elections as independent candidates). Large meetings by political parties or NGOs require prior permission from the local authorities and demonstrations are often violently suppressed. Workers are free to join unions, and the right to strike but only subject to the decision of an arbitration committee.

The transitional government has recognized five new political parties during the year, bringing the total number of licensed parties to 35. These political parties and numerous NGOs functioned openly and freely; this even applied to unlicensed political parties and NGOs.

4. Freedom of Speech and the Media

The Constitution provides for freedom of speech and the press; however, a system of pre-publication censorship by the Interior Ministry severely constrained freedom of expression. All newspapers must register with the Ministry of Interior. At present, 300 newspapers and journals are licensed, but about 200 of these do not publish regularly, and some others have not published at all. Some 25 newspapers publish regularly including two that are government owned. Independent publications openly criticize the government. The law permits the suppression of any publication that discredits Islam or endangers national security. Newspapers, journals, and privately published books were exempt from all taxes on materials used to produce them. Freedom of speech suffered a regression in 2004 as the government cracked down on opposition leaders; particularly those belonging to Islamic oriented groups, and increased its suppression of human rights activists. The broadcast media is government–owned and operated, and strongly supports government views. The access of opposition parties to radio and television is extremely limited. Satellite TV and the internet are available without restrictions. Some private newspapers maintain web sites that are not interfered with by the government.

During 2005 several journalists were arrested by the former government for attacking the regime for its mistreatment of the Islamists.

The former Ministry of the Interior censored two editions of independent newspapers during the year. On March 15, the Arabic-language newspaper, *Al Marsad*, was suspended for no reported reason. On April 6 the French-language newspaper *Le Calame* was suspended, reportedly for attempting to publish a story regarding a disagreement among high-level military officers.

Opposition parties' access to government radio and television broadcast facilities was extremely limited prior to the August 2005 military coup. Opposition views received greater voice in the media after the coup but were still subjected to occasional censorship.

After the coup, the new rulers announced opening the door to public freedoms. Decree No.2 stressed that independent newspapers would remain as they are. Although the press law was not changed, the new authorities practically abolished the articles that gave the Ministry of Interior the right (according to Article 11 of the Press Laws) to censor newspapers and ban them if they include whatever "violates public security, threatens national unity, or contradicts Islam." No single newspaper was banned since the coup; the government also abolished all press censorship on July 17, 2006. On October 24, Reporters Without Borders noted in its annual report on press freedom that the country had made notable progress in lifting press restrictions during the year. A new press law eliminated the previous requirement of governmental approval before publication, and allows journalists to protect their sources and streamlines the process for officially registering new newspapers.

5. Freedom of Religion

The Constitution states that the country is an Islamic Republic. Islam is generally considered to be the essential cohesive element unifying the country's various ethnic groups and castes. However, the few Christian citizens and the foreign Christian community practice their faith openly and freely. On June 30, 2005 the government recognized only the Maliki form of Islam, and banned mosques from taking part in any political activity. Religious groups are not required to register with the government, but NGOs with religious affiliations are required to register. There is nothing in the law books that prohibits non-Muslims from proselytizing, but in fact, such proselytizing is made impossible by the Press Act which prohibits any publication that contradicts or threatens Islam. While Christians may possess

Bibles, they are neither printed nor sold publicly. The government also suppressed suspected Islamic extremists.

Nonprofit organizations, including both religious groups and secular NGO's, generally are not subject to taxation. Mosques and Qur'anic schools are funded privately by their members and other donors. Foreign faith-based NGO's limit their activities to humanitarian and development assistance.

6. Women and the Marginalized

The Constitution provides for equality regardless of sex or ethnic origin. But societal discrimination against women is intrinsic to the country's traditional culture. Women rarely resorted to the legal system to redress wrongs, preferring instead to resolve disputes within the extended family or the ethnic group to which they belong. Domestic mistreatment of women exists but seems to be on the decline. Female Genital Mutilation "FGM" continues to be widely practiced (75% of all women have suffered FGM), but is currently on the decline in urban areas. The Constitution provides for full political rights to women. In the November 2003 elections they constituted the majority of voters. Under the disposed President Taye'e, five women occupied ministerial level posts, and two were Secretaries of State. Three women had seats in the 81-seat National Assembly, and three in the 56-seat Senate. Women occupied also some senior posts in the transitional government: three cabinet-level posts including the Minister of Labor, two secretaries of state, the Deputy Director of the President's cabinet, and the President's Minister-Counselor. Women were well represented in the Secretariat of Women's Affairs, including a number from minority ethnic groups.

The new 24-member cabinet includes three women. The junta has also granted a quota which will ensure that one out of every five lawmakers and councilors is a woman in this historically male-dominated Arab Muslim country. The Secretariat for Women's Affairs worked with many NGOs and cooperatives to improve the status of women. The transitional government, women's groups, and national and international NGOs have organized meetings, seminars, and workshops throughout the year to publicize women's rights.

Traditional forms of mistreatment of women continued, mostly in isolated rural communities, but these practices appeared to be declining. Women still face legal discrimination. The testimony of two women is necessary to equal that of one man and the indemnity granted by the courts

to the family of a woman who has been killed is half that of a man's. Generally, men and women receive equal pay for equal work. In the modern sector of the economy, women also receive family benefits, including three months of maternity leave.

Ethnic and cultural tensions and discrimination exist between the nomadic Arabic-speaking herders in the North and Center of the country and the cultivators in the South. Despite the prohibitions of slavery since 1981, remnants of the practice continue. Minorities such as the Black Moors, Halpulaars and Soninke are under-represented in government, though in July 2003, a Black Moor, for the first time, was appointed Prime Minister. These three minorities occupy seven of the 21 ministerial posts, and are represented by ten members in the 56-member Senate.

II. Prospects for Democratic Change

The country's narrowly-based authoritarian regime has gradually liberalized over the last decade with major democratic steps taken after the military coup of August 2005. However power remains largely in the hand of the President and a very small elite. The Mauritanian society remains largely tribal, and although the government has made some progress lately to modernize yet the polity lacks many of the basic democratic institutions. The strong role of the military in the policies of the country—with its attendant risks of fostering a tendency toward military coups—remains a hindrance to the development of civil society and the democratization of the regime.

The 17-member strong military junta seems determined to hand over power to a civil government following presidential elections scheduled to take place in March 2007. Clearly Mauritania in 2006 reached significant milestones along the democratic path. These included successful free and fair national and municipal elections, a constitutional amendment that limited presidential power, and established a National Commission for Human Rights. The Mauritanian experiment in reform is one that should be emulated by other Arab countries.

Morocco

Capital: Rabat
Date of Independence: 2/3/1956
Area: 446,550 Km²
Population (in millions): 32.7 (est. 2005)
Rate of Population Increase: 1.57% (est. 2005)
Ethnic Groups: 99.1% Arabs & Berbers, 0.7% others, 0.2% Jews
Religious Groups: 98.7% Muslims, 1.1% Christians, 0.2% Jews
Illiteracy: 48%
No. of Provinces: 37 governorates
Polity: Traditional Monarchy
Head of State: King Mohamed VI
No. of Political Parties: 22
GDP (in billions) —ppp: $147 (2005)
GDP (per Capita) —ppp: $4,400 (2004)

Overview

After 44 years of French colonial rule, Morocco gained its independence in 1956 as a hereditary monarchy under King Mohammad V. On his death five years later, he was succeeded by his son King Hassan II, who in turn was succeeded in 1999 by his son Mohammad VI. The reign of Hassan II was marked by restlessness and rebellious attempts during the 1970s. In 1971, rebellious guards massacred more than 100 at the King's birthday party and the following year, the country's strongman Interior Minister General Ofkir sought to down the King's 727 aircraft using fighter planes. The withdrawal of Spanish forces from the Western Sahara in 1975 created an opportunity for the King to mobilize nationalist sentiments on behalf of Moroccan sovereignty over the evacuated territory, as well as a chance, in this climate of national fervor, to assert his power. Thus thousands of dissidents were imprisoned or exiled, and hundreds disappeared with no trace.

In 1991, following the ouster of the Iraqi forces from Kuwait the Moroccan regime, like many other Arab states in the region, began a limited liberalization process. Mohammed VI ascended the throne in 1999 to rule

over a country with a rate of 20% unemployed, a population in which about 50% were illiterate and 30% below the poverty line, and a state economy burdened with huge domestic and foreign debts. A grass roots Islamic movement was gathering support under such conditions by providing badly needed services which the government failed to provide.

The new king met these challenges by launching an extensive program of economic and political liberalization. The hard line Minister of the Interior, Driss Basri, was dismissed and thousands of political prisoners were released; families of those who died in captivity were given compensation, and exiled dissidents were invited to return. Perhaps most impressive of all was the King's public apology to all those who suffered human rights abuses at the hands of the regime. No other Arab leader had ever made such an apology, or indeed ever apologized for anything. This mood of relative tolerance encouraged pressures for much larger margins of freedom, and in December 2002, thousands of demonstrators celebrated the U.N. human rights day, demanding radical democratic changes. Fearing things might be getting out of hand, the police arrested many of the demonstrators, but most were soon released. Human rights conditions continued to improve and in 2002 the King honored his promise for fair and free national elections.

I. Political Rights and Civil Liberties

1. The Executive, Political Parties and Elections

The Moroccans' right to change their government democratically is limited because of the dominating powers of the King over the entire political arena. For he is not only the supreme executive but also shares legislative powers with the two houses of representation: the 325-member Chamber of Representatives elected by direct ballot of voting citizens, and the Chamber of Advisors (Majlis al-Mustasharin) whose members, according to the new law of March 2003, are selected by professional syndicates, trade unions and other organizations. The King, however, can dissolve the legislature at his discretion and rule by decree. The Constitution may not be changed or modified without the King's approval. The cabinet is selected by the Prime Minister who is titular head of the Government, but five sovereign ministerial posts are traditionally appointed by the King: Foreign Affairs, Interior, Justice, Defense, and Islamic Affairs. The government can be dissolved by a vote of no confidence in both houses.

The 2002 parliamentary elections were the first free and fair elections in the country's history, an example of freedom and fairness rarely witnessed in any other Arab country. Competing political parties were given equal coverage in the press and equal time in the broadcast media. The government also conducted a wide campaign to urge people to participate in the voting. Some 22 political parties competed for the 325 parliamentary seats, of which 295 were to be awarded on the basis of party slates, while 30 seats are reserved for women on the National List. Five women also won seats in their local districts. Voter turnout was 52%. The most striking aspect of the election results was that the Islamic Justice and Development Party won 42 seats, which is almost four times their representation in the 1997 parliament, though it contested only half of the parliamentary seats. In contrast, that same party came out eleventh in the order of seats won in the municipal elections held on 12/9/2003. To acquire greater strength several mergers of parties took place in 2005; however, political parties remain fragile and weak. No parties may be founded on the basis of religion, race or ethnicity. They are all subject to judicial supervision.

In July 2005, the government approved a new Parties' Law. This Law allows government funding to parties that garner more than 5% of votes in legislative elections, mandates the monitoring of the parties' budgets by the Supreme Court, and prohibits any candidate from switching parties after winning a seat in Parliament. In response to the new law and in order to acquire greater strength, Morocco's two oldest parties, the Independence Party and the Socialist Opposition for Popular Forces called for the judiciary to supervise political parties rather than the Ministry of the Interior and demanded lifting the current restrictions on the formation of new parties.

Moroccan government approved a new electoral law on June 26 and will refer it to parliament in July. The new law will bar parties that failed to win at least 3 per cent of the vote in the 2002 elections to field candidates in the 2007 legislative elections.

Morocco's governing majority (dominated by the Independence Party and the Socialist Union of Forces for Progress) won two-thirds of the seats in partial elections to parliament's upper house on September 8.

2. The Judiciary, Trials, and Detention

The Constitution provides for an independent judiciary but in practice the courts have been subject to governmental interference in political cases. Furthermore, there is evidence of considerable corruption, resulting in

investigations and the disciplining of judges, and a number have been dismissed. The judicial system includes the usual court levels: courts of first instance, appeal courts, deemed to be those relating and the Supreme Court. However, state security cases are tried to the monarchy, Islam, or the territorial integrity of the country before a military tribunal. Trials are usually open and reasonably fair though sometimes they are rushed through and large groups are tried collectively. In October 2003, new family courts were established to deal with Personal Status issues, such as divorce, child custody and other family concerns.

The Constitution and Moroccan law give an indication that arbitrary arrest and detention are prohibited, however, in practice there is abundant evidence that they occur. These practices are frequently used by the police, though lately provisions for due process have been extensively revised. Under the new anti-terrorist laws of May 2003 terror is very broadly defined, thereby allowing permitting extensive arbitrary arrests, and the period of administrative detention (without charge) has been increased from 48 hours to four days, with a possibility for a further extension of another four days. Defendants are held incommunicado during the periods of detention and may be subject to abuse and torture during interrogation. HRW has reported in June 2004 that some 2000 are held in detention without charge in Tamara prison camp, and that in this and other detention centers torture is routinely practiced. An important positive development was the creation in 2005 of a governmental committee to investigate the cases of those that disappeared and those that were incarcerated without trial during the period 1960-1990. The Committee is charged with rehabilitating victims and compensating them and/or their families. A basic criticism leveled at the Committee is that it does not investigate the perpetrators of these crimes.

On March 16, the government amended the penal code by enacting a specific anti-torture law. By law, pretrial investigating judges must refer a detainee to a forensic medicine expert if asked to do so or if judges notice suspicious physical marks on a detainee.

Between May 24 and June 3, 2006, Moroccan authorities briefly detained between 300 and 400 members and leaders of the Islamist Justice and Charity group (*Al Adl wal Ihsan*), which is believed to be the largest (non-party) opposition group in Morocco. Mass arrests in several cities, quickly followed after the group launched an "open doors" campaign to recruit outside traditional recruiting areas such as mosques and universities.

On March 25, the king pardoned 216 prisoners in Laayoune (Western Sahara). This group included 18 individuals identified as human rights activists by national and international NGOs. On July 31, the king granted royal pardons and commutation of sentences to 1,215 prisoners; on August 20, the king released 679 more, and on December 31, he released 549 more prisoners.

3. Civil Society and the Freedom of Association

The Constitution provides for freedom of association but in practice it is limited. To operate legally all organizations must register with and obtain approval from the Interior Ministry. Generally, the government has not obstructed the formation of NGOs, except those of radical Islamists and leftist groups. Nevertheless, there are currently over 20 active Islamist NGOs accorded official recognition. There are three legally recognized human rights organizations (HROs) and several concerned with women's rights. An important over achievement was the ability of the HROs to establish an ongoing dialogue with the Justice Party, the most important Islamic organization in Morocco, concerning the issues of democracy and women rights.

The law permits the government to suppress all demonstrations and mass gatherings; however, the authorities have not resorted to this except occasionally, usually not interfering in peaceful marches and meetings.

Peaceful protests by unemployed citizens taking place in front of the Parliament have become a routine activity. In July 2005, a protest took place requesting financial and moral aid to the unemployed, as well as requesting that rights to work be a constitutional guarantee to ensure citizens' dignity.

The protesters also decried government fraud and insisted on the punishment of those who commit such crimes.

The law permits workers to have their own trade unions. Approximately 600,000 (i.e. 6%) of the country's 10 million workers are members of the 19 workers' unions. dominate the labor market including an Islamic-oriented union. Of these, five The law prohibits anti-union discrimination, and incorporates ILO Convention 87. Workers may bargain collectively and strike, but sit-ins are specifically prohibited.

4. Freedom of Speech and the Media

The Constitution provides for freedom of expression, but the anti-terrorist law and the Press Code impose severe financial penalties and prison

terms for defamation and libel, as well as for anything that is deemed disparagement of the monarchy, Islam or Morocco's territorial rights to the Western Sahara. Thus Journalist Ali Lmrabet was sentenced in May 21, 2003, under the Press Code to four years imprisonment and a fine equivalent to $2000 for "disparaging the monarchy" and "challenging the country's territorial integrity." Five other journalists received sentences for other offenses. The law may also punish journalists with three to five years prison sentences and the payment of damages for libeling public officials. The Press Code also prohibits articles that "threaten the public order." Within the limits set by these restrictions the press publishes freely and is frequently critical of government policies, and has exposed cases of corruption and reported on official scandals. The government, however, may censor newspapers and order that specific items of news not be published. On the positive side, the government subsidized paper for the press and provides free premises for dailies and magazines.

There are presently about 2000 domestic and foreign newspapers and magazines in circulation. Since all newspapers and magazines are permitted to function only if licensed, the government maintains a controlling power through the threat of revoking this license in case the newspaper exceeds the limit of dissent tolerated by the regime. The government continues to prevent publication of the newspapers of the Islamist Justice and Charity Organization and has also blocked two of its web sites. The broadcast media is government owned and controlled and presents the official view. Satellite TV is available as well as access to the internet.

Security forces attacked several reporters during their coverage of unemployment protests. Attacks also took place against Mounir el Katawy from *El Baydawy* newspaper during his coverage of the desert governorates attempting to gain their independence.

Politically motivated prosecutions of independent newsweeklies are rolling back press freedom in Morocco, according to a report by Human Rights Watch. In 2006, courts imposed heavy fines on four weeklies and imprisoned their journalists; they are now instituting proceedings against a fifth weekly. The punitive damages against a weekly's publisher Aboubakr Jamai and writer Fahd Iraqi were the biggest ever given to journalists in Morocco: 3.1 million dirham (US $356,500) were awarded to the head of the European Strategic Intelligence and Security Center, a think tank in Brussels. Some rights groups argue that the government has used this case to intimidate the independent press.

In November 2005, writer Mariam Makram, author of an article exposing "Secrets of the Palace's Harems Under Three Kings," published in *Al Ayam* newspaper, was indicted together with the paper's publisher, Noor el-Din Moftaa, for defaming the monarchy, publishing 'wrong news', and disseminating pictures of the Royal Family without prior license. On May 9, the court sentenced Driss Chaatan, the director of the Arabic-language weekly *Al-Mishal*, to a one-year suspended prison term and fined him approximately $10,000 for violating the press code that prohibits defaming a foreign president. On December 25, the government charged Driss Ksikes, editor, and Sanaa Al-Aji, journalist, of the Arabic-language weekly magazine *Nichane* with defaming Islam and damaging public morality. Nadia Yassine will be tried on April 19, 2007 for publicly stating her belief that the country would be healthier as a republic than as a monarchy.

5. Freedom of Religion

The Constitution stipulates that Islam is the state religion, and the King is designated Commander of the Faith. The Constitution provides for freedom of religion and the government generally respects this right in practice, allowing non-Muslims, both Jews and Christians, to openly practice their faith. The government, however, prohibits proselytizing for any faith other than Islam, and bans conversion of Muslims to any other faith. On January 6, 2005, a Christian convert from Islam, Hamid al-Madany whose passport was found on a foreign Christian, was arrested for proselytising, which continues to be illegal under the law.Some restrictions are also placed on the publication and distribution of non-Muslim religious materials, such as the ban on the importation or sale of Bibles written in the Arabic language. But, on the other hand, the three major monotheistic religions enjoy governmental grants, and subsidies. The government funds the teaching of Islam in public schools, and provides an annual fund for Jewish public schools. Christian churches, orphanages, hospitals, and schools operate without restrictions or the need to obtain a license. The government continues to encourage tolerance and respect among religions. In March 2005, King Mohammed VI established the Judeo-Christian Observatory, a body of international scholars to promote religious tolerance and to monitor its absence. In April 2005, the country hosted a Muslim-Judeo dialogue in Marrakech, and in May, hosted a concert of Christian church music.

6. Women and the Marginalized

The Constitution mandates the equality of rights regardless of gender, but in practice both traditional customs and family law (which is based on Shari'a) discriminate against women. A new Personal Status law proposed by the King was passed in Parliament in 2004. It provided for considerable egalitarian measures for women with regards to marriage, divorce, inheritance and guardianship of children. Of particular note is the fact that the Islamic groups did not oppose the new law—as might have been expected—which gives women additional rights and guarantees, including the setting of restrictions on polygamy and a wife's ability to divorce without consent of the husband. In August 2005, King Mohammed VI modified citizenship laws to allow the children of Moroccan women married to foreigners to obtain Moroccan nationality. Women organizations welcomed the amendment as a completion of the liberal 2004 Personal Status Law. The Penal Code, however, remains lenient on men convicted of crimes committed against their wives, particularly with respect to the so-called "honor" crimes.

Women constitute 35% of the workforce but few rise to the top positions in their profession. Many NGOs focus on women's issues and the promotion of women's civil and political rights, while many others provide women with education in family planning, hygiene and child care. To involve women in political life the government set 30 seats for women in parliament. In the September 2002 elections five women won additional seats in their local districts.

In May 2006, fifty women, the first group of female murshidats (guides), were assigned to mosques.

Approximately 60% of the population are Berbers (known also as the Amazigh) or partially of Berber descent, including the Royal Family. Berbers claim that their culture and language are not accorded proper recognition, and that the activities of their associations are restricted by the authorities. Although in September 2003, the teaching of the Berber language was commenced in 317 primary and secondary schools, and a Royal Institute for the Amazigh culture was established, yet Berbers complain that the government continues to discriminate against them including efforts to Arabize the name of their villages and towns.

II. Prospects for Democratic Change

Morocco has made considerable progress along the democratic path by holding free and fair contested elections, and allowing a large measure of unrestricted religious freedom to all faiths. But the separation of the three branches of government remains unfulfilled. Political parties remain weak, but the associations of civil society have demonstrated vigorous activity in defense of the rights of women and human rights in general. Government restrictions on freedom of expression in the press and the broadcast media still leave much to be desired in view of the numerous arrests of journalists. The new Family Code introduced by the king is a landmark in the history of Morocco and a model for emulation by other Arab states. A new law to combat terrorism includes a broad definition of terror, which opens the door to abuse by security forces. Nevertheless, there is no doubt that, overall, Morocco is one of the most advanced Arab countries on the path of democracy. And indeed democracy is a topic that is increasingly debated publicly, especially with the coming elections in September 2007.

But despite this ongoing political reform process and a steady expansion in participation and civic freedoms, opposition parties and movements continue to face strong state reaction to criticism directed at either the monarchy or important state policies, especially when such criticism comes from Islamist quarters, particularly from the Justice and Spirituality Association (JSA) which enjoys strong grassroots support.

Moroccan King Muhammad VI is using a tolerant interpretation of the Qur'an in an effort to modernize the country. To this end, and in order to bolster his legitimacy in the process the King made use of state-appointed Ulema Councils to support his liberal oriented exegesis and counter the closed and stringent readings of the holy text preached by extremist and militant Islamist groups. It is still to early to know if the King's strategy will ultimately prevail against the competing radical interpretations that can be readily found on the internet and are propagated in the labyrinths of civil society.

Oman

Capital: Muscat
Date of Independence: 1650
Area: 212,460 Km²
Population (in millions): 3 (est. 2005)
Rate of Population Increase: 3.32% (est. 2005)
Ethnic Groups: Arabs, Beluchis,
South Asian (Indians, Pakistanis, Sri Lankans,
Bengladeshis), Africans
Religious Groups: 75% Ibadi Muslims, 25% Shi'a Muslims
Illiteracy: 24%
No. of Provinces: 6 regions and 2 governorates
Polity: Traditional monarchy
Head of State: Qaboos Ben Said Al Said
No. of Political Parties: There are no political parties
GDP (in billions)—ppp: $48.88 (2005)
GDP per Capita—ppp: $14,100 (2005)

Overview

Oman is the oldest independent state in the region. Indeed it was a sovereign state since 1650 when Sultan Bin Seif expelled the Portuguese from this south-east tip of the Arabian peninsula. Oman's geographic location, as gateway to the Gulf, has great strategic importance. At present, Oman is ruled by descendents of the al-Busaid dynasty which came to power in 1749. Although Oman had developed in the mid nineteenth century into a commercial empire that extended up to the eastern coast of Africa, it gradually sank soon thereafter into decline and economic stagnation. Since then, Oman remained a backward and isolated state, until its present ruler, Sultan Qaboos, came to power in 1970. At that date, Oman had only about 10 Km of asphalt road, and no more than 1000 automobiles in the entire country. Sultan Qaboos, drawing on Oman's modest revenues from oil, mounted a vigorous campaign to modernize the country and end its diplomatic isolation. Oil represents 40% of the country's GDP but Oman is

far less rich in oil than its Arab neighbors. Agriculture and fishing are major sources of income for many Omanis.

I. Political Rights and Civil Liberties

1. The Executive, Political Parties and Elections

Sultan Qaboos wields absolute power in both domestic and foreign affairs. There are no political parties in Oman, and no effective independent legislative body, or direct elections of any sort except to the 82-member Consultative Council (CC) which has no real legislative power. The so-called Parliament is composed of the CC and the 59-member Maglis al-Dawla which is effectively an upper house. Members of the upper house are appointed by the ruler and the entire body is practically an arm of the executive. The Consultative Council serves as a conduit between citizens and the government and also reviews all draft laws and makes legislative recommendations to the Sultan. The last elections of the CC, based on universal suffrage, were held in 2003. The Sultan maintains ultimate control over the electoral process and vets all candidates running for the Consultative Council. The first written Basic Charter (1996) established rights based on Shari'a and customary law and concentrated all power in the hands of Sultan Qaboos who, besides being Head of State, holds all the portfolios of prime minister, head of the central bank, defense minister, finance minister, and minister of foreign affairs. Thus in effect, there are no formal democratic institutions, and the Sultan has absolute power and the authority to rule by decree. Hence, citizens have no legal means to change their government. They may only petition the government indirectly through their traditional patrons or local governors or raise their grievances directly to the Sultan during his regular tours of the country.

2. The Judiciary, Trials, and Detention

The Judiciary, in violation of the Constitution, is in practice not independent, but subordinate to the Sultan who appoints all judges and has the final say on all court rulings. Secular courts handle misdemeanors and criminal cases while Shari'a courts rule in Personal Status cases involving divorce, inheritance and other family issues. A State Security Court deals with cases referred to it by the government when deemed necessary. Trials in such courts are not public and there is no appeal of its verdicts; moreover

defendants are not permitted to have defense lawyers. Arbitrary arrests and detentions are rare, but the police has the authority to arrest without need for a warrant to do so. Legal procedures are not often respected in the period of pretrial detention.

3. Civil Society and the Freedom of Association

The country's Basic Charter provides for freedom of association and assembly; however, all NGOs must be registered with the government, and "their goals must be legitimate and their functioning in conformity with public law." Due to the vague wording of the law governing NGOs many associations, particularly religious ones, are kept waiting for years to be granted a license. Civil Society is small and weak. There are presently about 10 registered NGOs that operate in the fields of culture, women's concerns and community services, and 38 government-approved women's associations, some of which are partially government-funded. There are no human rights organizations or any labor or trade unions. Public gatherings are allowed only after obtaining a prior governmental permit. Peaceful demonstrations are allowed by prior permission and the ban on strikes was lifted in April 2003.

4. Freedom of the Speech and the Media

The country's Basic Charter (equivalent to a Constitution) provides for freedom of speech and the press as well as freedom of assembly; but in practice these are restricted. Thus, Taiba al Mawali (a female former member of parliament) was arrested in June 2005 for her harsh criticism of the government. She was convicted in July 2005 and served six months in prison. The Press and Publication Law (PPL) permits censorship to purge anything that is "politically, culturally, or sexually offensive." Journalists practiced self-censorship though the government tolerated some criticism, particularly with regard to foreign affairs. Criticism of the Sultan is totally prohibited in any form or medium. In November 2004, a newly formed Association of Journalists declared its intention to work towards enhancing the freedom of Journalists and the credibility of the press. There are five daily newspapers in Arabic and two in English, which the government subsidizes with a view to discourage in-depth coverage of controversial domestic issues. Consequently, the press usually expresses views consistent with those of the government. In October, the Gulf Press Freedom Organization was established to promote a free press and defend human

rights and aid journalists professionally in the Gulf and Yemen. The state owns all broadcasting media, which it uses to promote its policies and extol its achievements. No controversial material is aired. Satellite viewing is available; so is access to the internet, although the government blocks sites which it considers pornographic or dealing with politically sensitive topics. Cultural events, such as plays, concerts, lectures, seminars and conferences can be held only after obtaining prior government consent; hence all organizers of cultural events avoid controversial subjects that might cause the authorities to deny permission. The government restricts academic freedom by setting boundaries to discussions of controversial topics, which if exceeded could lead to dismissal.

5. Freedom of Religion

Islam is the state religion, and laws are based on shari'a. Most Omanis are Sunni Muslims. There is, however, a small Shi'a minority and much smaller Christian and Hindu communities. In contrast to the situation in other Gulf States, the Shi'a in Oman are treated without any bias. Freedom of worship is available to all faiths provided it does not violate "public order." Non-Muslim proselytizing is prohibited as well as the distribution of any non-Muslim literature. All non-Muslim associations must obtain a government license before they can operate, a process that has sometimes lasted for years. Mosques are expected to adhere to government guidelines and are monitored for possible political content that might be inimical to government policies.

6. Women and the Marginalized

Oman is one of the most progressive countries in the Gulf with respect to the rights of women. The government exerts great efforts to educate women, and has given them the right to vote and run in elections. Currently, women represent about 30% of registered voters. Four women have been appointed in 1999 to the State's Council, and in the 2003 elections of the Consultative Council 262 thousand voters went to the polls of which 100 thousand were women; which was double the number of women voters in the previous 2000 elections. Only two of fifteen female candidates won a seat on the Council. The new Shura Council (containing 59 members) now included 9 women. In 2003, a few women attained prominent status: one on the board of the Businessmen's Council, and another, Aisha bin Khalfan, was elevated to the level of minister, thereby becoming the first woman in

the entire Gulf region to attain such a post, and another woman was appointed ambassador to Holland. In 2004, three other women were appointed ministers. Women represent 33% of the workforce and hold about 30% of governmental jobs. They also enjoy equal educational opportunities. A government-sponsored Women's Association works with and helps 38 NGOs concerned with supporting women. Despite these gains women in Oman remain captive to traditional tribal customs that do not encourage women's participation in public life. Although women enjoy equal political rights they suffer from legal discrimination in matters that are subject to family law, and are victims of social biases that tend to maintain male dominance and keep many women from working.

II. Prospects for Democratic Change

The Sultan is considered by most of his people— as well as by others — a capable and benevolent leader. His pursuit of economic reforms has been vigorous and yielded remarkable results, which preserved a high level of stability during the last three decades. But, on the political front, few reforms have been enacted, and the country lacks basic democratic institutions of governance. It is not expected that there will be any remarkable democratic changes in the near future.

Palestine

Capital: East Jerusalem (not recognized by international community).
Date of Independence: Under occupation since 1967
Area: W: 5,860 sq Km; G: 360 sq Km
Population (in millions): W: 2.4 (est. 2004); G: 1.4 (est. 2005)
Rate of Population Increase: W: 3.13% (est. 2004); G: 3.77% (est. 2005)
Ethnic Group: W: Arab 83%, Jewish 17% (Israeli settlers 187,854)
G: Arab 100%
Religious Groups: W: Muslims 75%, Jews 17%, Christians 8%
G: Muslims 99.3%, Christians 0.7%
Illiteracy: N/A
No. of Provinces: 30
Polity: Republic
Head of PA: Mahmoud Abbas
No. of Political Parties: 10
GDP (in billions)—ppp: Combined: $5,327
GDP per capita—ppp: Combined: $ 1,500

Overview

Israel occupied the West Bank and the Gaza strip in the 1967 war. During the following 25 years the Palestinian Liberation Organization (PLO), under the leadership of Yasser Arafat, waged a guerrilla war against Israel using at different times different neighboring Arab countries as a central base from which to conduct its struggle. In 1995, the so-called Oslo Agreement was concluded between Israel and the PLO. Under its terms the PLO assumed the civil government of Gaza and a small part of the West Bank, with the understanding that most of the West Bank will eventually be transferred to the Palestinians, in segments, over the next five years. This land transfer proceeded in the first few years, but at a rate far behind schedule, and by summer of 2000 it came to a complete halt when a last attempt at negotiating a settlement at Camp David under the sponsorship of President Clinton ended in failure. In September 2000, a Palestinian Intifada (uprising) began, and since then violence escalated on both sides and the

security situation deteriorated in both Israel and the occupied territories of Gaza and the West Bank. In August 2005, Ariel Sharon decided on a unilateral withdrawal from Gaza and the evacuation of all Jewish settlers in that strip. The purpose was to limit the high costs in terms of resources and lives expended to protect only some 7500 Jewish in the midst of 1.4 million Palestinians. But, the results were not totally as expected. The violence continued with Israel still targeting Palestinians leaders for assassination and Palestinian militant groups (Hamas and Islamic Jihad) lobbing rockets into Israel. By the end of 2005, the violence had taken a terrible toll—the Palestinian loss in life was in excess of 4000 and the Israeli loss over 1000, aside from the much larger number of wounded on both sides. These developments effectively buried the Oslo Agreement as Israeli forces reoccupied all the areas it has previously evacuated, and proceeded to target for assassination leaders of the Palestinian Intifada, while the "freedom fighters," as called by the Palestinians, and "terrorists" as called by Israel, conducted suicide bombings within Israel, killing mostly civilians in restaurants, buses and market places.

The economy of the West Bank and the Gaza strip is small, underdeveloped and highly dependent on international assistance and on Israel (where thousands of Palestinian laborers work). Israeli attacks, curfews and sieges and closures of entire districts has severely impacted the economy and raised the level of unemployed to about 50%.

While the Intifada has undoubtedly hurt Israel both economically and in terms of lives lost, it has virtually devastated the Palestinian territories. Besides killing thousands of Palestinians, many of whom were civilians, Israeli forces with overwhelming military power, using tanks and fighter planes, demolished Palestinian homes and public buildings, destroyed thousands of acres of olive groves, and practically destroyed the entire infrastructure of the West Bank and Gaza. The peace process that began with high hopes in the 1990s was virtually dead by the end of 2005.

I. Political Rights and Civil Liberties:

1. The Executive, Political Parties and Elections

In 1996, Palestinians chose Yasser Arafat as Chairman of the Palestinian Authority (PA) as well as an 88-member Legislative Council in an election generally considered fair and free. Arafat held supreme executive authority

and maintained direct control of the Palestinian security forces, until his death on November 11th, 2004. Presidential elections are scheduled for early January 2005 to select Arafat's successor, whom most expect to be Mahmoud Abbas (Abou Mazen)—who campaigned on a platform that calls for democracy, a strong government in control of all military power, an end to the Intifada and a negotiated settlement. On January 9 2005, Palestine Liberation Organization (PLO) Chairman Mahmud Abbas won approximately 62 percent of the popular vote in a presidential election regarded as generally free and fair. The PA held multiple rounds of municipal elections during the year; however, Abbas postponed Palestinian Legislative Council (PLC) elections, scheduled for July 17, until January 25, 2006. The first round of Palestinian municipal elections took place in late December 2004 in 26 districts in the West Bank. These were the first local Palestinian elections since 1976. The electoral process was highly successful and was considered by international observers to be free and fair. Voter-turnout was 81% of which 49 % were women. Fatah was victorious in 12 districts, while Hamas—the popular Islamic militant resistance party—swept 9 districts; 5 districts went to independent candidates. Hamas' strong showing in the West Bank—considering the fact that its traditional stronghold remains the Gaza Strip—demonstrates its rising political power. Women gained 25 contested seats, in addition to the 21 seats reserved for them by the quota—bringing their total to 46 in the 306-seat councils.

Legislative elections took place as scheduled on January 25, 2006. According to international observers the elections were free, fair and generally in line with international standards. According to the Central Elections Commission turnout was between 74.6% and 76% in Gaza and 73.1% in the West Bank.

The election was conducted using a combination of district and party list systems, with the Hamas dominated Change and Reform List taking 74 out of 132 seats. The ruling Fatah party took 45 seats, and the remaining nine seats were split between four other minor parties. The party list nature of the election, and the resulting fractioning of the coalition making up the PLO into different lists, was one of the reasons for Hamas' victory, in addition to the public's apathy towards Fatah. This would explain the wide disparity in the number of seats won by each party considering the small difference in percentage of the popular vote each received (Hamas won 74 seats with 44% of the popular vote, Fatah only took 45 with 41%).

Palestine has suffered under a Western boycott following the election of the Hamas government. Aid has been frozen in an effort to force Hamas to recognize the state of Israel, renounce violence, and honor past agreements made between the PLO and Israel. Hamas countered that Israel continues to occupy Palestinian territory, continues to target and assassinate Palestinian leaders, and that anyway all past agreements were made with the PLO—which is the internationally recognized representative of the Palestinian people—not with any Palestinian government. As a consequence of the boycott, conditions in the occupied territories deteriorated dangerously as the government failed to pay salaries of employees and unemployment soared to 60%. Problems were further compounded by violence between Fatah and Hamas, leading PA President Mahmoud Abbas to threaten calling for early elections.

2. The Judiciary, Trials, and Detention

Although the Palestinian Basic Law provides for an independent judiciary and defines the powers of the President and the three branches of government, it is meaningless to assess the performance of these, or any other institutions, when a bitter war is in progress and the very issue of a Palestinian State is still in the realm of conjecture. Indeed, the main political factions within Palestinian society (such as Hamas and Islamic Jihad) continue to challenge the official PA on major policy issues (not to mention that Arafat himself was besieged in his quarters by Israeli forces since early 2001). The judiciary continues to suffer from the interference of the executive, which in practice retains de-facto holds final authority on judicial rulings. Thus, for example, in March 2004 the executive over-ruled the decision of the Supreme Palestinian Judicial Court to end the freeze previously imposed on the accounts of charitable organizations. In addition, the executive ignored the decision of a Palestinian Court to free Ahmed Sa'adat, Secretary General of the Popular Front of the Liberation of Palestine. In addition, the persistence of "special" and "security" courts—under the jurisdiction of the executive—severely breeches the rights of the accused who are frequently held incommunicado in administrative detention, then given trials that are patently unfair. Human rights organizations also report dire prison conditions and the systemic use of torture to extract confessions.

PA courts are inefficient, lack staff and resources, and often do not ensure fair and expeditious trials. PA executive and security services frequently failed to implement court decisions and tend to inhibit judicial independence.

Israeli security forces engage in serious systemic violations of human rights in the occupied territories, resorting to mass arbitrary arrests and detentions especially in the wake of suicide attacks. Administrative detentions have been used throughout the year to hold many hundreds of Palestinians without bringing against them any formal charges. Despite legal stipulations, detainees are denied access to lawyers or their families. In addition, the Israeli government refuses to investigate reports of war crimes by the Israeli military or incidents of settler attacks against Palestinian civilians. Even in cases when settlers were prosecuted for their acts of violence against Palestinian civilians, they rarely served prison sentences.

Palestinian law prohibits arbitrary arrest and detention; however, it allows police to hold detainees without charges for 24 hours. Courts may approve detention without charges for up to 45 days. A trial must start within six months of arrest or the detainee must be released. In practice the PA detained many Palestinians without charge for months.

In April 2005, PA security forces detained persons without informing judicial authorities and often ignored laws protecting detainee rights and court decisions calling for release of alleged security criminals. At year's end Palestinian sources estimated the PA imprisoned approximately 239 suspected of collaboration with Israel. Alleged collaborators often were held despite lack of sufficient evidence and denied access to lawyers, families, and doctors.

Ongoing violence adversely affected PA administration of justice. Many police stations and incarceration facilities were damaged or destroyed. Travel restrictions, curfews, and closures significantly impeded administration of justice.

3. Civil Society and the Freedom of Association

Freedom of association and assembly are severely restricted by Israeli occupation forces. Permits to hold public demonstrations and meetings are rarely denied by the PA. However Israeli military orders ban public gatherings of 10 or more persons without a permit, though Palestinians often ignore this order without punishment. Extensive curfews and closures of entire areas have made assembly of any kind virtually impossible. Israeli

forces also closed numerous Palestinian centers and institutions. The Israeli government particularly restricts freedom of association in East Jerusalem, which it considers as part of Israel proper despite the international community's classification of the municipality as "Occupied Territory." Since the outbreak of the Intifada, the Israeli government forcefully shut down numerous civil society organizations in East Jerusalem. On the other hand, Israel permits Palestinian workers in East Jerusalem to establish their own unions, and also to join other West Bank unions.

The PA imposes certain formal limits on the freedom of association. Civil society organizations are governed by "The Law of Charitable Organizations and Civil Society" passed in 1998. In 1999, jurisdiction over CSOs was passed from the Ministry of Justice to the Ministry of Interior. In practice the PA allows a wide margin of freedom to CSOs to carry out charitable, community and self help work—which help fill the vacuum left by the lack of PA's social services.

The law also permits Palestinian workers to establish and join workers and trade unions without prior governmental permission, but provides no protection for the right of workers to strike.

4. Freedom of Speech and Media

The Israeli government restricts freedom of speech and press in the occupied territories. Israeli Defense Forces routinely harass and occasionally detain Palestinian and international journalists working in the West Bank and Gaza. Israel frequently denies travel permits to journalists, confiscates their press cards and delays the issue of press credentials. Throughout the year, IDF killed two journalists covering stories in the occupied territories and injured four more. Palestinian publications cannot be sold in occupied territories without obtaining an Israeli license. Israeli military censors also review Arabic publications in East Jerusalem and suppress material considered anti-Israeli or anti-Semitic. This leads Palestinian-owned newspapers such as *Al-Quds* to practice self-censorship. The Israeli government also routinely prohibits the display of Palestinian political symbols in occupied East Jerusalem. Throughout the year Israel raided several times the premises of Palestinian radio and TV stations, as well as the press offices of *al-Nawras*, *al-Majd*, and *Marah*. Academic freedom is also curtailed, as the IDF disrupts the operations of West Bank and Gaza Strip schools and universities through the imposition of forced closures, curfews, travel restrictions, and military operations. The PA Ministry of

Education also reported that since the outbreak of the Intifada, the IDF routinely raids, and closes schools—some of them permanently.

The Palestinian Authority severely curbs the freedom of speech and the media especially regarding topics pertaining to human rights, security issues, and criticism of Fatah. The 1995 Press Law fails to protect the media—leading to severe unchecked violations. PA's security forces routinely sequester newspapers, confiscate publications, ban broadcasts, and harass and detain journalists. These systemic violations of free speech drove the media to impose self-censorship in independently-owned newspapers and TV stations.

The election of Mahmoud Abbas as president of the PA in January 2005 improved press freedom and working conditions for journalists. Self-censorship and fear of being harmed or harassed by armed activists and militant groups remained the greatest challenges for journalists working in the West Bank and Gaza.

On July 19 2005, the Palestinian Journalists Syndicate, controlled by the Fatah movement, instructed local reporters and photographers not to cover clashes between Hamas and Fatah in the Gaza Strip and warned that any violation of its instructions would bear personal and legal consequences.

5. Freedom of Religion

While Islam is the officially sanctioned religion, the Palestinian Basic Law provides for religious freedom, and respect of other monotheistic faiths. Six of the 88-seat Palestinian Legislative Council are reserved for Christians, while one goes to a Samaritan. The PA generally allows churches to operate without hindrance and run their own ecclesiastical courts to deal with personal status law cases. However, Muslim institutions and mosques receive preferential PA treatment in terms of the provision of financial support. Moreover, throughout the year there were several reports alleging that the PA failed to investigate cases of seizures of Christian-owned land by gangs, and physical attacks against Christians in Bethlehem. Other reports claim that PA officials might have been directly involved in Christian property expropriation.

In the past year, there have been reports—including the US Department of State Report—of deterioration in the status of the Israeli Government's respect for religious freedom within the occupied territories. Israel's system of frequent security closures prevents Palestinians from reaching their places of worship, thus impeding their right to practice their faith. Such cases were

especially noted in East Jerusalem, Bethlehem and Hebron, in which the holiest religious sites for both Christians and Muslims are located. The Israeli government claims that it restricts access to the Dome of the Rock— which Israel calls the Temple Mount— for security reasons. In June 2004 it began escorting Jewish and Christian tourists to the site despite protests by the Palestinian Waqf (religious endowment) authorities. In addition, Israeli refusal to grant hundreds of clergy entry clearances to the occupied territories left many churches closed. Moreover, the Israeli government confiscated land belonging to religious institutions in Bethany to build its so-called "security wall."

6. Women and the Marginalized

Palestinian women continue to face widespread institutional and social discrimination. There are very few women in high governmental decision-making positions. But a Ministry of Women was created by presidential decree in 2004 to support women's rights. Women suffer from systemic domestic violence, marital rape and honor crimes. While no official statistics exist, studies conducted at Birzeit University claim that up to 43% of Palestinian women are victims of domestic violence. Human rights and women's groups claim that the incidence of violence and honor killings rose dramatically during 2004 and 2005. There is no Palestinian law prohibiting and punishing domestic violence and conjugal rape. Personal status issues i.e. those dealing with divorce, inheritance and child custody for Palestinians, is governed by the religious law of each faith. While Muslim women have the right to include stipulations into their marriage contracts in order to guarantee their rights, only 1% of women exercise this right due to cultural impediments. Women's economic and social situations have deteriorated since the outbreak of the Intifada. Women's early marriages have risen by 79%, and the divorce rate rose by 40%. The percentage of women in the formal workforce has diminished to 4.11%. In October 2004, to the dismay of women's groups, the Palestinian parliament abolished the quota system, which reserved a number of seats for women in the national parliament. Nonetheless, women were able to score modest victories in the municipal elections in the West Bank, held in December 2004 (as noted in sub-section no.1 above).

Under the party list system employed in the January 2006 legislative elections, each list had to include one women in the first three names,

another woman in the next four, and another woman in the next five that followed.

II. Prospects for Democratic Change

While January 2006 witnessed a free and fair parliamentary election in which the ruling Fatah party was ousted by Hamas, Palestine's progress towards democracy has stalled owing to a number of factors. First of all, Palestine lacks the developed liberal democratic institutions, such as an independent judiciary and nonpartisan security forces, necessary to sustain a genuine democracy. Second of all, political parties in Palestine are affiliated with armed militias; this prevents the peaceful transfer of power, as evidenced by the violence which followed the January elections. In addition to this internal strife, the ongoing Israeli occupation continues to hamper reform efforts, preventing the development of democratic institutions and lending legitimacy to the armed militias whose presence in Palestinian politics is a major obstacle to the establishment of a true democracy. Finally, the Hamas victory resulted in a withdrawal of Western aid from Palestine, crippling the Palestinian economy.

On a regional level, the outcome of the January election was a watershed moment that marked the end of serious Western pressure on Arab regimes to democratize. While Palestine has made some remarkable progress in terms of holding free and fair elections, it will never be able to fully develop in the current environment of unending internal and external conflict, which precludes the possibility of effective state-building and the establishment of viable institutions.

Qatar

Capital: Doha
Date of Independence: 3/9/1971
Area: 1,437 Km^2
Population (in millions): 0.9 (est. 2005)
Rate of Population Increase: 2.61% (est. 2005)
Ethnic Groups: 40% Arabs, 18% Pakistanis, 18% Indians, 10% Iranians, 14% others
Religious Groups: 100% Muslims
Illiteracy: 17.6%
No. of Provinces: 9 municipalities
Polity: Traditional Monarchy
Head of State: Hamad Bin Khalifa al-Thani
No. of Political Parties: There are no political parties
GDP (in billions)—ppp: $26.05
GDP per capita—ppp: $29,400

Overview

This tiny Gulf state has succeeded in transforming itself in the last eight years from one of the poorest countries in the area, depending mainly on the pearl industry, into one of the highest per capita Gulf Emirates. The Al-Khalifa family, now the ruling family of Bahrain, ruled Qatar in the early 19^{th} Century. From 1872 until the end of World War I, Qatar was occupied by the Ottoman empire, which was succeeded by Britain. Qatar became formally independent in 1971, and was ruled with near-absolute authority by Emir Khalifa bin Hamad Al Thani until 1995.

In 1995, Crown Prince Hamad Bin Khalifa al-Thani deposed his father the ruling Emir and immediately embarked on a wide set of economic and social reforms that have thoroughly transformed the country. Emulating his successful neighbor Dubai, he invested millions of dollars in the modernization of the infrastructure in the hope of establishing Qatar as a business and tourist center. Luxurious hotels were built and scores of amusement parks and nightclubs sprang up to cater to foreign visitors. In 1996, he invested $150 million in establishing the al-Jazeera satellite station

which, by its bold approach in transmitting news and open discussion of the region's problems, has acquired international recognition and is now watched by over 30 million viewers in the Arab World, and has enormously bolstered Qatar's international prestige .

I. Political Rights and Civil Freedoms

1. The Executive, Political Parties and Elections

The Emir of Qatar has taken significant steps to liberalize the country. Political parties are disallowed and there is no organized opposition. The Emir holds absolute executive power, although he does consult on major issues with the Shura (Consultative) Council as well as with tribal chiefs and prominent figures. No national elections have ever been held. Municipal elections were held in 1999 in which 228 candidates, including 6 women, competed for the 29 seats of the Municipal Council. None of the women who ran won a seat despite the fact that it is estimated that 70% of all votes cast were by women! Election campaigns were conducted freely and the state's TV station even provided coverage of the debates between opposing candidates. In 2003, new municipal elections were held in which one woman won a seat. The rate of voter participation, however, was low, ranging between 25% and 35% in the various municipalities. In 2004 a new Constitution was approved in a national referendum. Although the new Constitution mandates universal suffrage, separation between the three branches of government, freedom of speech and the press, and freedom of association, it continued to concentrate real power in the hands of the Emir and his family. The new Constitution also replaced the old 35-member appointed Consultative Council, which had no legislative power with a one that comprises 45 members, 30 of which are to be elected by the people, and 15 appointed by the Emir. In March 2005, the Emir promised that elections for the Council are to take place in 2006, but by years' end the elections had not taken place.

Currently Qatar has only an appointed Council with a limited advisory role. According to the constitution, the new Council, when elected, will have three main powers: to approve (but not prepare) the national budget; to monitor the performance of ministers through interpellations and no-confidence votes; and to draft, discuss, and vote on proposed legislation, which becomes law only with the vote of a two-thirds majority and the

Emir's endorsement. The new Constitution is a significant progressive liberal step in several respects, though it nevertheless still prohibits the formation of political parties.

2. The Judiciary, Trials, and Detention

The new Constitution grants full autonomy to the judiciary, but in practice this cannot be fully credible since most judges are foreign nationals employed under contract, which may not be renewed or may even be revoked at any time. A new law passed in 2002, which gives an expansive definition of terrorism, allows extensive periods of detention, up to six months, without trial, and opens the door to potential misuse by security forces. A separate system of Shari'a courts handles Personal Status cases and family matters. Trials are public and reasonably fair and defendants have the right to appeal verdicts. Arbitrary arrests by the police are relatively rare, but in certain security cases defendants have been held for prolonged periods before being brought to trial. However, detainees have the right to legal counsel, and due process is generally observed. The revoking of citizenship is frequently resorted to as punishment for political dissidents who provoked the ire of the authorities.

The Constitution prohibits arbitrary arrest and detention, and the Government generally observed these prohibitions in practice; however, in some cases these rights were restricted by Law No. 17 of 2002, which was used to "protect society." The law empowers the Minister of Interior to detain a defendant on crimes related to national security, honor, or impudence. Under this statute, the detention period can range from two weeks to six months, and may be extended up to two years at the discretion of Ministry of the Interior. According to human rights organizations, there were eight cases of individuals arrested under this law during 2005 and only two in 2006. There were no cases of incommunicado detention.

Suspects are charged within 48 hours and must appear before a judge within four days of their arrest. Judges may also extend pretrial detention for one week at a time to allow the authorities to complete investigations. The accused are entitled to legal representation throughout the process; however, suspects who are detained in security cases may be detained indefinitely while under investigation. The government administered corporal punishment (lashes) prescribed by its interpretation of Islamic law in cases of alcohol consumption. Amputation is not allowed.

In October 2004 the government repealed the citizenship of more than 500 people from Al-Morra tribe on the pretext that besides being Qataris they also carried a Saudi citizenship.

3. Civil Society and the Freedom of Association

The Constitution provides for freedom of association and assembly, but in practice these freedoms are severely restricted. Law No. 18, enacted in November 2005, provides for and regulates freedom of assembly; however, a permit is required for such public gatherings. A number of restrictions and conditions must be met in order to acquire a permit, one of which is the permission of the Public Security director general, whose decision is immune from appeal. The Government generally did not allow political demonstrations. Freedom of association is limited to professional and cultural groups that are registered with the Ministry of Social Affairs. Several activist groups concerned with issues of the environment, consumer protection, and Palestinian rights have been denied license.

Currently there are no independent human rights organizations in Qatar. However, a National Committee for Human Rights, consisting of members of civil society and government employees and established under the rubric of the Ministry of the Interior, investigates human rights abuses. The Committee has a hotline for citizens and resident workers and presents regular reports to the cabinet on human rights.

A new statute, Law No. 12, regulates the right to form private societies and professional associations, and the Government severely limited this right in practice. Law No. 12 also imposes strict conditions for the establishment, management, and function of these societies and associations. Among others, they are prohibited from engaging in political matters and must get approval from the Ministry of Civil Service Affairs and Housing. Also, in the cases of professional societies, they must pay approximately $14,000 in licensing fees and their permits are valid for only a 3-year period, after which time they must renew their license and pay the same fees. The Government did not allow political parties or international professional organizations critical of the Government or of any other Arab government. Security forces monitored the activities of such groups.

Public demonstrations are illegal, though in practice the government has tolerated anti-Israel protests. Workers were granted in 2004 the right to form autonomous unions that may collectively negotiate with employers working conditions, wages, and time schedules. The government's Labor Conciliation

Board mediates disputes, and private sector workers are permitted to strike in case of failure of the mediation. Foreign nationals represent about 75% of the workforce and are often subjected to abuse by employers, which they frequently refrain from reporting for fear of losing their residency permit. The Human Rights movement gained a strong boost when the Emir in May 2003 decreed the establishment of the governmental National Committee for Human Rights which includes eight representatives from the various ministries as well as five prominent public figures including one woman. The role assigned to the Committee in the Royal Decree was "to ensure the implementation of the goals specified in all the international human rights conventions to which Qatar is a signatory." However, the Decree has not indicated the mechanisms by which the Committee can attain the goals set for it. All the same, the existence of the Committee has served to increase the awareness of human rights issues in Qatar .

4. Freedom of Speech and the Media

The Constitution provides for freedom of speech and of the press. Nevertheless, freedom of expression is limited in practice, since journalists continued to practice self-censorship due to social and political pressures when reporting on government policies, the ruling family, and relations with neighboring states. The press has enjoyed a relatively wide margin of freedom since Emir Hamad Bin Khalifa came to power in 1995. Numerous newspapers are published in Qatar with little government censorship.

Citizens express many of their views freely and in public, although they avoid discussing sensitive political and religious issues. The larger non-citizen population did not express itself as freely or as publicly. Toward the end of the year the Government initiated a series of public debates, called the "Doha Debates" addressing political issues of the day, such as separation of mosque and state and regional democratic reform. The Government did not prosecute anyone for the expression of views considered offensive.

Newspapers are not state-owned; however, the owners or board members generally are either high-level government officials or have ties to government officials. The broadcast media is mainly owned by the state and generally reflects the government's views. The Al-Jazeera TV broadcasting station has gained international recognition for airing the views of political dissidents around the world but it steers clear of touching on domestic issues in Qatar. Independent media outlets operate with little interference by the government, but exercise self-censorship particularly with regard to foreign

policy or the members of the Royal Family. The Censorship Office in the Qatar Radio and Television Corporation reviews materials for pornography and material deemed hostile to Islam, reports on government policies, and the ruling family. There were no reports of political censorship of foreign print or broadcast news media or foreign programs. The Government censors the Internet for religious reasons and pornographic content.

5. Freedom of Religion

The new Constitution of 2005 provides for freedom of worship; however, the Government prohibits proselytizing of Muslims by non-Muslims and places some restrictions on public worship. The state religion is Islam, as interpreted by the conservative Wahhabi order of Sunni Islam.

All formal religious institutions are subject to the control of the Ministry of Islamic Affairs. The small Shi'a minority is allowed to practice openly short of organizing public ceremonies and rituals. Officially, non-Muslims may practice privately but are prohibited from all public worship. However, in 2000, the government authorized, for the very first time, the building of three churches to serve the large expatriate Western community working in Qatar, but none of these churches has been constructed to date. In November 2005 the Emir donated land for building the first Anglican Christian church in Qatar. The laws also prohibited the import or the publishing of any non-Islamic religious literature.

Shi'a Muslims are well represented in the bureaucracy and business community, but there are no Shi'a employed in senior national security positions.

The Government does not permit Hindus, Buddhists, Bahai's, or members of other religions to operate as freely as Christian congregations. However, there was no official effort to prevent adherents of these faiths from practicing privately. Individuals are not prevented from importing Bibles and other religious items for personal use. Non-Muslim religious materials are available readily in local shops. However, Bibles were not available in Arabic as of 2005. There were no acts of physical violence against or harassment of Jewish persons.

6. Women and the Marginalized

The law accords men and women equal political rights, but legal Shari'a law discriminates against women in regard to the issues of divorce, inheritance and other family concerns. Women cannot obtain a driver's license without the consent of a close male relative; and the killing of

women in "honor" cases is treated with leniency. According to official statistics women hold 40% of the jobs in the private sector and 45% in the state's bureaucracy. But few women hold top posts in the government. In 2003 Qatar was the first Gulf country to appoint a woman as a cabinet minister. The Emir's sister also holds the ministerial title of Vice President of the Supreme Council of Family Affairs. However, most Qataris, men and women, do not favor a high level of participation by women in public life. Gender segregation is adopted in both the schools and the workplace. Women account for the majority of students at Qatari universities, butface social restrictions regarding studying at universities abroad. In addition, there are few mechanisms available to women to redress the discrimination they routinely face in society and the workplace.

II. Prospects for Democratic Change

Considerable gradual expansion of political rights and civil liberties has taken place since 1995, when Emir Hamad Bin Khalifa al-Thani replaced his father. In the last three years this liberalizing trend accelerated rapidly, but the reform process has yet to be institutionalized. It is plausible that a major driving motive behind the recent stepped-up pace of reform is the government's strategic decision to augment its partnership relation with the United States. While this policy orientation will likely expedite the democratization process it does carry some dangers if the Qataris, in general, and the major tribal groups in particular, come to perceive the process as merely the vehicle for a Western hegemony that seeks the destruction of the country's Islamic values. It appears, though, that the Emir is determined to push for further liberal reforms, and his wife, Sheikha Mosa, seems equally determined to spearhead a drive to support the cause of Qatari women. As part of the Emir's liberalization efforts, Qatar has hosted several major international conferences to promote religious tolerance and democracy in the Arab world. One such conference is scheduled for late May 2007.

Saudi Arabia

Capital: Riyadh
Date of Independence: 23/9/1932
Area: 1,960,582 Km^2
Population (in millions): 26,4 (est. 2005)
Rate of Population Increase: 3.27% (est. 2005)
Ethnic Groups: 90% Arabs, 10% Africans – Asians (in 2000)
Religious Groups: 100% Muslims
Illiteracy: 21.2%
No. of Provinces: 13
Polity: Traditional monarchy
Head of State: King Abdullah Bin Abdel-Aziz al-Saud
No. of Political Parties: Political parties are disallowed
GDP (in billions) —ppp: $374 (2005)
GDP per Capita—ppp: $13,800 (2005)

Overview

The State of Saudi Arabia came into existence in 1932 when Abdel-Aziz al-Saud through a combination of conquest and diplomatic alliances managed to expand his domain from the Central Arab region of Najd, where he ruled since 1902, to encompass the entire Arabian peninsula including the holy cities of Mecca and Medina. The Kingdom is unique among Arab Countries in that it was literally created by jihad, and is also the only one that was never invaded by European powers. Since the death of its founder, Abdel-Aziz, the kings of Saudi Arabia were chosen from among his 44 sons on the basis of seniority and consensus among members of the Saud family. The present King Abdullah ascended the throne in 2005 following the death of his brother King Fahd. Since the establishment of the Kingdom in 1932 the Family has ruled with no institutional checks to its absolute authority. Abdullah belongs to the more "moderate" faction of the ruling family. Shortly after assuming the throne, for example, he pardoned a number of prisoners of conscience that had been sentenced for their outspoken criticism of the regime.

Saudi Arabia has 25% of the world's known oil reserves. Its large income from oil has made possible a social contract between the Royal Family and Saudi citizens, whereby the latter would forego political rights and civil liberties in exchange for material prosperity and an extensive welfare system. Dictatorial control of the country has been facilitated by the enforcement of the stringent Wahhabi interpretation of Islamic law (*Shari'a*). The entire educational system and the whole regime centers around religious indoctrination, while the vast revenues from oil provided a material prosperity which helped cultivate an indolence in the citizens and a laxness in the rulers which prevented the development of an indigenous skilled labor force. During the late 1980's and 1990's, declining oil prices and gross mismanagement of the country's wealth resulted in a steep decline in living standards: per capita income dropped from $23,000 in the early 1980s to $12,000 in 2003, but oil prices soared once more since 2004 to exceed $65 per barrel, boosting the kingdom's sagging economy. Encouraged by international (particularly American) pressures to open the system, a growing opposition by enlightened religious elements and liberal dissidents are challenging the regime, and calling for radical reforms. While other Gulf monarchs have introduced some limited measure of political reform in the interest of stability and staving off possible unrest, the Saudi ruling family has consistently opposed establishment of even symbolic representative institutions, while maintaining an archaic educational system that remains firmly in place, as princes allied with the Wahhabi religious establishment continue to block any attempts at reform. The deleterious hold of the ossified and stringent Saudi religious establishment over all aspects of social life is deep and pervasive. Al-Qaeda terrorist attacks in 2002, 2003, 2004, and 2005 which claimed the lives of Westerners and Saudi police, have shaken the Saudi rulers out of their complacency, and prodded them to reconsider, albeit very tentatively, some of the most glaring aspects of their archaic policies. In an effort to tame extremism, and under increasing American pressures, Saudi Arabia has implemented limited curricular improvements in its educational system, by removing some of the highly discriminatory passages that refer to Shi'a Muslims and non-Muslims as infidels. They also augmented the proportion of non-religious material in the curricula.

I. Political Rights and Civil Liberties

1. The Executive, Political Parties and Elections

Saudi Arabia maintains that the Qur'an is its constitution. There are no political parties, and it is illegal to establish them. Nor is it allowed to form any kind of political opposition group. No elections of any sort were ever held until the first municipal elections were held in October 2005 to establish local councils. Women were not allowed to vote and half of the members were appointed by the government. To date, these councils have not convened any meetings. There is no separation of powers. In fact there is no legislative body to date. The King holds both executive and legislative power, and is the ultimate source of judicial authority. There is nothing to check the absolute power of the King except that he is subject to Islamic law and to the consensus of the ruling family. The 120-member Consultative Council was expanded to 150 with greater socioeconomic diversity among members, and has recently been accorded the duty of reviewing legislation drafted by the government before it is sent to the King for final approval. The Council has lately invited several women to attend its sessions and is also increasingly becoming a place for the public debate of previously taboo topics (such as granting women the right to drive cars). A council of religious elders and tribal chiefs is occasionally convened by the King for consultation. This Council of Senior Islamic Scholars is an important source of religious legitimacy for the ruling family.

The Basic Law of the country states that the government is established on the principle of "Shura" (Consultation). There are no formal democratic institutions. Communication between the citizens and government are conducted through patron-client relations and by affinity groups such as tribes and families. Theoretically, any citizen may bring his petition to the Majlis, an open meeting held regularly by the King, or in his stead a prince or an important official. May 2006 witnessed the first ever student union elections in the kingdom.

2. The Judiciary, Trials, and Detention

The Basic Saudi law (in lieu of a constitution) makes the King the primary judicial authority, thereby making the judiciary subject to the will of the King and the Royal Family. Judges are chosen on the basis of their strict adherence to the Sunni Wahhabi interpretation of Shari'a, which means that Shi'a Muslims are tried by judges who consider them heretics. Judges are

appointed and dismissed as the King sees fit. Trials are usually held behind closed doors and the evidence of conviction is more often than not a signed confession extracted under pressure or torture. The Penal Code, based on Shari'a, cuts the hand of thieves, inflicts corporal punishment on a slew of offenses, and mandates the stoning of an adulterous woman. Capital punishment is often executed in a public square using a sword to behead the convicted. About 100 people are executed annually. Amnesty International confirmed the executions of 81 people in the year 2005 (though the number is likely much higher), roughly half of them were foreign nationals. The Minister of the Interior can detain suspects for an indefinite period of time.

In April 2006, the National Security Court was inaugurated.

While nominally it will deal with Shari'a Law, it has been interpreted by the opposition as another means of government intimidation. According to Human Rights Watch at least 126 people are currently on death row in Saudi prisons for crimes committed before they reached age 18. This includes a 14-year-old Egyptian boy sentenced to death for murdering another child when he was 13. He was tried as an adult based on "the coarseness of his voice and the appearance of pubic hair."

Human Rights Watch sent its first delegation ever to Saudi Arabia on December 1, 2006. Amnesty International will follow suit in January 2007.

3. Civil Society and the Freedom of Association

The Saudi Basic Law does not address freedom of assembly and association. There is no civil society to speak of in Saudi Arabia. On January 3, 2003 the government permitted the first ever recognized civil associations—an organization for Saudi journalists and a human rights organization. Since then, the government licensed a large number of humanitarian organizations, and tribal and professional societies (e.g. The Saudi Pharmacist Society). Professional "groups" cannot be formed without prior permission. Trade unions are totally prohibited; however, labor committees have been allowed but are empowered only to issue recommendations. Public meetings require prior permission, and must be segregated by sex. Those who hold unsegregated meetings risk arrest and deportation. In August 2003, following a series of bombings in various cities, and under pressure from the United States, the government established a center for debate and the combating of extremism, and warned the educational authorities to "combat all extremist ideologies that threaten the security and stability of the country."

In December 2005, the first governmental human rights organization, The Saudi Human Rights Agency, was established. Human rights activists, however, set little store on this new organization, which they believe was created only to co-opt any nascent civil society associations that may arise, rather than to promote respect for human rights.

4. Freedom of Speech and the Media

Freedom of speech is extremely restricted. Criticism of the government or the Royal Family is absolutely prohibited, so is anything that might be interpreted as a deviation from orthodox Wahhabi doctrine. Newspapers and magazines can be established only by a decree from the King who also appoints the editors-in-chief. The government owns all domestic broadcast media, and closely monitors the press and all publications. Foreign papers are severely censored and heavy restrictions are placed on the entry of foreign journalists into the Kingdom. Editors of domestic publications are appointed by the government, which can also remove them at will. Satellite dishes are prohibited and internet access is filtered to block web sites that may be considered offensive to Islam or the Royal Family. Saudi Arabia is unique in that it does not hide its online censorship; the government's filters clearly tell internet users that certain websites are banned. While pornography is the censors' primary concern, opposition websites are targeted as well. Public demonstrations are completely prohibited, and the few attempts at such public gatherings were ruthlessly suppressed at their initial stage. On March 16, 2004 the Saudi government arrested five academics for advocating political reform that would change the regime into a constitutional monarchy. The prisoners were brought to trial in August 2, 2004.

On November 11, during the course of that trial the defense spokesman was also arrested. This was followed on October 4, 2004 by a government decree criminalizing any act, explicit or implicit, verbal or in writing that may be construed as opposition to government policies. Several academics, who had not yet been released because of their refusal to alter their statements, were subsequently pardoned by King Abdullah soon after his official coronation.

5. Freedom of Religion

Saudi Arabia is the only country in the world in which all faiths are officially banned except Sunni Islam; and even then, only the Wahhabi

interpretation of Sunni Islam is recognized as the true faith. In fact all that is not Wahhabi Islam is subject to severe repression. Thus Saudi prisons are full of Christians, Shi'as and Sufis (mystic Muslims). Non-Muslims are completely prohibited from any public expression of worship, and Shi'a Muslims face severe restrictions on public religious practice. Non-Muslim and Shi'a religious literature is banned in the Kingdom. Foreigners are allowed to have Bibles in their own language, but owning one in Arabic is tantamount to proselytizing, a crime that is punishable with a jail sentence. In contrast to previous years, there was a decrease in both long-term detentions and deportations of non-Muslims for religious reasons; however, there was a marked increase in overall harassment, arrests, and short-term detentions of non-Muslims, which were usually initiated by the moral police (*Mutawwa'in*). On May 25, 2006, however, an Interior Ministry decree was issued limiting the powers of the *Mutawwa'in* (Public Decency Police).

According to the decree "their role ends as soon as the culprits are arrested and handed over to the regular police, who will then decide whether to refer them to the public prosecutor." Up until this point the *Mutawwa'in* had unchecked power to arrest, detain and interrogate suspects for perceived moral infractions. The Government has now permitted the observance of the Shi'a holiday of Ashura in cities with a high Shi'a concentration.

6. Women and the Marginalized

Women play no formal role in politics; they are neither permitted to run for office nor even vote. In several governorates, though, women's councils were formed to advise governors on issues related to women. The Wahhabi doctrine severely restricts the rights and freedom of women; in effect it reduces them to the status of minors and second-class citizens. In most legal, as well as social, affairs the unmarried woman is the ward of her father, if married the ward of her husband, and if divorced the ward of her adult sons or her adult brothers. A woman cannot obtain an identity card, drive a car, or be admitted to a hospital without the consent of her guardian. Late in 2004 two prominent clerics issued an edict (*fatwa*) that women should not be allowed to access the internet in the absence of a male custodian, in view of their "inherent slyness and licentious deceitful natures." In public, women are segregated from men, barred from most workplaces, prohibited from certain professions such as engineering, law or journalism, taught in separate schools, restricted to "family sections" in restaurants, prevented from traveling anywhere without a male relative, and outside the home required to

wear a black garment (*abaya*) that covers the body from head to toe, including the face. The Shari'a law also discriminates against women, in regard to divorce and inheritance, and treats their testimony in court as inferior to that of men. In December 2005, the Saudi National Agency for Engineers held its board elections and allowed women to both vote and run as candidates. One of the 71 candidates was a woman and she won a seat. The government has also agreed to allow partial elections in several Chambers of Commerce where women can vote, as well as run. Since June 2003, five "National Dialogue" conferences have taken place in which the issues of future political reform, radicalism, women's issues, and intercultural dialogue were discussed.

The Shi'a Muslims, who constitute about 10% of the population, face severe restrictions on the public practice of their religion and encounter discrimination in employment and other aspects of social life. In court, their testimony is often discounted and their seminaries are banned. There has been also frequent arrests and mistreatment of Shi'a clerics. A Shi'a tribal leader who was once quoted in the Wall Street Journal saying, "The government is making a mistake against us" was sentenced to a term of seven years in prison. There are only two Shi'a in the 120-member Shura Council.

II. Prospects for Democratic Change

Oil and Wahhabi Islam continue to define the Kingdom, and to a large extent are the major elements that determine the pace of change. However, the recent partial convergence of the platforms of liberal reformists, moderate Islamists, and conservative religious scholars together with the support of the moderate faction of the Royal Family has given a glimmer of hope that a reform process, albeit one that is moving at a glacial pace, may be under way, leading to very modest incremental yet significant measures, which included: the strengthening of the all-appointed Shura Council by way of making it more representative, the holding of municipal elections (from which women were barred), the legalization of a number of civil society organizations, some educational reform, and the launching of several national dialogues. American pressure has also been an important factor. Indeed, many Saudi intellectuals and observers rate this last factor as the most crucial for sustaining the reform process that began reluctantly and

very tentatively in recent years. More importantly, reform as an issue is now widely debated, and the question now seems to be no longer whether or not to undertake structural reform of the system, but rather the rate at which such change can be safely implemented. Most Saudis, including pro-reform activists, believe it is premature to speak of democracy. What they seek is a greater measure of liberalization, and better governance— one that would include upholding the rule of law, more transparency, and the loosening of the clerical grip that stifles modernization.

The so-called reform measures undertaken so far are no more than infinitesimal steps that hardly warrant the term "reform." To speak of reform one must speak of institutions, but these, even the most basic to a modern state, are presently non-existent in Saudi Arabia. To establish even the bare minimum would probably require many decades, in which the entire culture would have to undergo radical change. It is difficult to imagine that even a beginning can take place under the present regime and its leadership. Saudi Arabia's strategic alliance with the United States, however, carries some hope that under US prodding, the regime will take at least some steps, however small, to improve the lot of women who live as minors under the guardianship of their male kin and to permit a modicum of free speech and other basic human rights. Clearly, this regime cannot hope to continue to live indefinitely as an anachronism in the twenty first century.

Sudan

Capital: Khartoum
Date of Independence: 1/1/1956
Area: 2505810 Km^2
Population (in millions): 40.2 (est. 2005)
Rate of Population Increase: 2.71% (est. 2005)
Ethnic Groups: 52% Africans, 39% Arabs, 6% Biga %2 ‹Foreigners, 1% other
Religious Groups: 85% Muslims (Sunna), 15% Christians and others
Illiteracy: 40%
No. of Provinces: 26 states
Polity: Republic
Head of State: Omar Hassan Ahmed al-Bashir
No. of Political Parties: 20
GDP (in billions) — ppp: $96.01
GDP per Capita— ppp: $2,300

Overview

Sudan is the largest country in Africa. It gained its independence in 1956 after some 80 years of British colonial rule. The Southern part of Sudan (below the 13th parallel) is about one million square kilometers, which is almost equal to the size of Egypt. It's inhabitants number about 10 million, most of whom are Christian and animist black Africans. The Anyanya movement representing the ethnic groups of South Sudan have struggled with the Arab Muslim central government in North Sudan since independence, demanding a reasonable measure of autonomy, which they failed to get. This, together with the persistent effort of the central government in Khartoum to transform an ethnically and religiously diverse country into an Arab and Islamic state, led to the outbreak of a civil war which lasted for the next 47 year with a period of relative peace between 1972 and 1982 when the South was granted considerable autonomy under the accords of 1972. But in 1983 that peace was shattered when General Jafar Numeiri in a military coup removed the democratically elected government, and decided to restrict the South's autonomy and impose Islamic law (Shari'a) in the region. Although Numeiri was overthrown in

1985 successive governments in the North refused to accede to the demands of the South and so the war continued until the Comprehensive Peace Agreement (CPA) was signed in January 2005. The CPA established an Interim Constitution, a provisional Government of national unity, and a federal system that allows for power sharing with the former southern rebels on a 70-30 basis pending national elections during the mid-2007 to mid-2008 time frame .This arrangement is to stay in effect for six years, after which South Sudan may choose to become independent through a referendum vote.
The present Islamic government of General Omar al-Bashir, which ousted the democratically elected government of Sadik al-Mahdi in 1989, ruled by means of an alliance between the military junta and Muslim clerics led by Hassan al-Turabi leader of the ruling National Congress Party and Speaker of the National Assembly. The Bashir/Turabi alliance declared Sudan an Islamic Republic, and insisted on imposing Shari'a (Islamic Law) on the South. But tensions within the alliance over the distribution of power eventually led in 1999 to the arrest of Turabi and his detention. In 2002 international mediation efforts proposed a "one country, two systems" plan, in which the central government in the North would accept a secular system in the South.

I. Political Rights and Civil Liberties

1. The Executive, Political Parties and Elections

Sudan has an authoritarian government in which power is in the hands of the President and his party since he came to power in a coup supported by the fundamentalist National Islamic Front led by Hassan al-Turabi. The Revolution Command Council of National Salvation (RCCNS) is the supreme legislative and administrative body with al-Bashir as its chairman. The major political parties remained for the most part marginalized from the political process. But as serious negotiations with the South began by years end the opposition became more vocal in their demand for inclusion, and the government was agreeable in order to legitimize its expected agreement with the Southern forces .

The Sudan has 20 officially registered political parties. President Omar al-Bashir's National Congress/National Islamic Front (NC/NIF) won 340 out of the 360 seats of the National Assembly in the deeply flawed presidential and parliamentary elections held in 2000, which were boycotted by all major

opposition parties. The EU declined an invitation by the Sudanese government to monitor the elections fearing that if it accepted it would be bestowing legitimacy on a patently dictatorial regime. Of the 360-seat Parliament 90 seats are for appointees of the President and 25% of seats are reserved for women, professional syndicates, and trade unions. In the last (2000) presidential elections, Omar al-Bashir ran against former President Numeiri and three other relative unknowns and won 86% of the vote . On the basis of the 2005 Peace Agreement the Sudan now has a bicameral legislature: a 450-member National Assembly and a 52-member Council of States.

The 2005 Peace Agreement also included a clause making John Garang, the leader of the Sudanese People's Liberation Army (SPLA), a vice president of Sudan and the president of Southern Sudan. He died in a helicopter crash on July 30, 2005 and was succeeded by Salva Kiir Mayardit.

2. The Judiciary, Trials, and Detention

The judiciary is not entirely autonomous. It is influenced by pressures from the executive although on occasion courts displayed a degree of independence and overturned on appeal decisions of lower courts in favor of the government. The judicial system is based on the principles of Shari'a (Islamic jurisprudence) and comprises four types of courts: civil courts, military courts, state security courts and tribal courts; the latter based mainly in rural areas to handle family concerns and problems arising from conflict over water and other agricultural rights. A Supreme Constitutional Court oversees the constitutional validity of laws. The Constitution provides for prompt, open and fair trials but this is often not observed in practice. By law, the accused may be detained for 3 days without charge, which can be extended to 30 days, and up to 3 months in security cases. Regular courts provide some measure of due process safeguards, but not so in military and state security courts. Criminal law is based on Shari'a, which provides for flogging, amputation (for theft), and stoning (for adultery). Family courts follow the edicts of Shari'a.

The law prohibits arbitrary arrest and detention without charge; however, the government continued to use arbitrary arrest and detention even though the state of emergency was lifted on July 9, 2005. However, the National Security Act continues to provide a cover for such practices. On June 30, 2005 authorities released Turabi (after 15 months' detention) and 17

members of the Eastern-based Beja Congress (who had been detained for 5 months without charges).

Persons arrested by the security police have often been held incommunicado for long periods in unknown locations without access to lawyers or family members. There can be no appeal from such arrests, which can in practice last for indefinite periods. In general, however, arrested persons are released after a few days without charge; but if the alleged offence is political the detention period can be quite long. Arbitrary arrests are commonplace and the security forces and associated militia, known as the Popular Defense Forces, have a free hand and have been responsible for serious abuses including extra-judicial killings and disappearances. Prolonged detention and torture are not infrequent.

3. Civil Society and the Freedom of Association

While the Constitution provides for freedom of association in practice this right is severely restrained .On October 17, 2005, government security forces detained and tortured nine students on the campus of the Islamic University in Omdurman after they attempted to form a union. There were credible reports that the government routinely intervened to manipulate professional, trade union, and student union elections. A new Political Parties Act allowed some formerly banned political parties to resume their activities.

There are no independent trade unions. According to the Trade Union's Act, the Sudan Workers Trade Unions Federation, which includes about 800,000 members, is the only legal worker's organization; all other unions are banned. The International Labor Organization (ILO) has registered its objection to the Act, as incompatible with the right of free association. Professional syndicates have usually been the main force pushing for democratizing, but this year witnessed little activity on their part.

Strikes were considered illegal unless the government granted approval, which has never occurred. In most cases employees who tried to strike were subject to employment termination; however, workers went on strike several times during the year and were not terminated.

4. Freedom of Speech and the Media

The Constitution provides for freedom of expression and of the press "as regulated by law." In practice, though, these rights are severely restricted. Intimidation and frequent suspension of newspapers has inhibited open

discussion of political issues. Journalists practice self-censorship to avoid government harassment and the closure of their papers. The situation, however, has eased a bit lately. There are presently nine main daily newspapers, which reflect a variety of political views. Several newspapers also reprinted articles from the international press that were critical of the government. But the degree of press freedom remains restricted and subject to arbitrary governmental coercive action. Kola Beuf a Sudanese author living in the United States, was tried in absentia and sentenced to death by a Shari'a court for blasphemy because of a book she wrote on the mistreatment of black women by the Arab Muslims . On May 2004, the editor-in-chief of *Al-Wafaq* faced criminal charges for allegedly insulting Islam in an article that examined the origins of the Prophet Mohammed. On the positive side, the law was amended in late 2004, disallowing the imprisonment of journalists on crimes associated with publications, relying instead on fines.

On July 9, 2005, rule by Emergency Law, which had lasted for more than 15 years, was lifted. This officially also ended censorship of the media; nevertheless, censorship of the press continued. Government security forces also continued to harass, intimidate, and arrest journalists. Since the beginning of 2006, at least 15 Sudanese journalists have been arrested and detained. Beginning in September the security forces have resumed the practice of pre-print inspections of newspapers. In addition, the security forces warned journalists not to cover anti-government demonstrations that took place in Khartoum on August 30 and September 6, 2006 against price increases for basic goods such as fuel and sugar.

The government owns and controls all the broadcast media, which invariably reflect only the government's views. Television has a permanent military censor to monitor all broadcasts, particularly the news. Satellite dishes are restricted on the grounds that the Western media is biased against both Islam and the Sudan. There is no widespread record of restrictions on access to the internet; but on July 6, 2004 an opposition site, www.sudaneseonline.com, was blocked by the Sudanese authorities on grounds that it threatens national security.

5. Freedom of Religion

Islam is the state religion; the Constitution stipulates that Sudan is an Islamic state, and that all legislation should be based on Shari'a. Seventy five percent of the Sudanese are Sunni Muslims living mostly in North

Sudan. The people in the South are mainly Christians or animists adhering to indigenous beliefs. Although the Constitution provides for freedom of religion the government severely restricts this right in practice. The government places heavy restriction on all non-Muslim forms of worship. Christians, in particular, are severly discriminated against since they are perceived as a blemish on the purity of the Islamic state. Religious groups must register to be recognized and permitted to worship legally. Thus withholding registration of Christian and other non-Muslim groups made it impossible for them to practice their faith publicly, and all attempts to do so subjected these groups to penalties and harassment. While license to build mosques are granted readily the building of churches is extremely difficult and is more often than not denied outright. Moreover, Christian schools and centers suffer occasional harassment and destructive activities by state Islamic militias. Although the government is Islamic it also imposes restrictions on the religious freedoms of certain Muslim groups who seem to have links with the opposition .However, unlike in the preceding year, detentions nominally for religion reasons were extremely limited. State–sponsored trainees are indoctrinated with the Islamic faith and used to maintain public decency. In prisons government officials and government supported NGO's pressure and offer inducements, such as early release, to non-Muslims to convert to Islam.

6. Women and the Marginalized

Shari'a severely restricts the participation of women in public life. However, they have the right to vote and run in elections. There are 29 women in the 400-seat Parliament; and there are two female ministers, two state ministers, and one governor of a district. Women face discrimination in matters of marriage, divorce, inheritance and other family concerns, as mandated in Shari'a. Women may be prosecuted under vague statutes that criminalize "indecent or immoral acts" or "attire that aggravates public feelings." Public order police also harass women in the streets if deemed to be immodestly dressed by governmental standards. In January 2001, the president denounced the "International Convention on Eradication of All Forms of Discrimination Against Women" and stated that Sudan would not sign it because it "contradicted Sudanese values and traditions." Displaced women from the South were vulnerable to harassment, rape and sexual abuse. Female genital mutilation (FGM) is widespread in the North. It is estimated that 90% of girls in the North have undergone FGM and suffered

as a consequence severe health problems. The government does not support the practice and has disseminated information against its ill effects .

It is hardly to be expected that the present regime will ever seek to implement the democratic value of gender equality when al-Bashir proclaims (Jan. 26, 1995) "How do you expect us to introduce equality when inequality is the will of God"?

There are about 55 parliament members from South Sudan in the 400-seat Parliament, and 30 Christians in the Council of Ministers, which is an advisory body to the government.

According to the Prosecutor of the International Criminal Court report to the UN Security Council, about 200,000 people have been killed so far in the conflict in Darfur. Thousands of women have been raped and at least two million people have been displaced.

With the signing of the North-South peace treaty, rebels in the East have seen their leverage decreased and as such signed a peace agreement with the government in mid-October, 2006. The agreement will give the rebels state ministers and seats in parliament, as well as $600 million in infrastructure in the region over the next five years. There are worries, however, that this is inadequate and that it may be ignored altogether by the government.

II. Prospects for Democratic Change

The government's human rights record remains very poor despite some improvements in some areas. The Sudanese cannot change their government peacefully. Security forces and government militias continue to act with impunity, harassing and killing opposition elements, and arresting and detaining people incommunicado for extended periods. The Sudanese are a dynamic politically active people who solely, through the pressures generated within their civil society, managed to topple two military dictators Ibrahim Abboud (in 1964) and Jafar Numeiri (in 1985). It is therefore probable that the end of the fighting in South Sudan and Darfur will see the beginning of a marked improvement in the democratization of the regime, and some release from its present paralyzing grip on civil society.

Syria

Capital: Damascus
Date of Independence: 17/4/1946
Area: 185,180 Km²
Population (in millions): 18.4 (est. 2005)
Rate of Population Increase: 2.34% (est. 2005)
Ethnic Groups: 90.3% Arabs, 9.7% Kurds, Armenians & others
Religious Groups: 74% Sunni, 16% Alawite, Druze, and others, 10% Christians, and small Jewish minorities in Damascus and Halab
Illiteracy: 23%
No. of Provinces: 14 governorates
Polity: Republic
Head of State: Bashar El Assad
No. of Political Parties: 8
GDP (in billions)—ppp: $75.1 (2004)
GDP per Capita—ppp: $ 4,000 (2004)

Overview

The modern state of Syria was established after World War I under the Sykes-Pico agreement between France and Great Britain. It was carved out of the one-time Fertile Crescent that included, besides the area of present day Syria, the present areas of Palestine, Israel, Jordan and Lebanon. Syria gained independence from France in 1946 and for most of the period since then has been ruled by the pan-Arab Baath party which took control of the country in 1961. In 1970, a military coup brought General Hafez El-Assad to power. For the next 30 years Assad's regime was dominated by the Alawite Islamic sect, which, although constituting only 12% of the population, has through coercive measures maintained control over the country's Sunni majority. Assad's regime was a military dictatorship that brutally suppressed all dissent. On Assad's death in 2000, the existing parliament unanimously voted his son Bashar to become president after changing the constitution such that the minimum age for the president was reduced from 40 to Bashar's 34. Syria's economy is based on commerce, agriculture, oil production and government

services. The country has been ruled by emergency law since 1963, a situation that has placed severe restrictions on freedom and permitted the security forces to operate with impunity outside the legal system.

On April 26, 2005 Syria withdrew its troops from Lebanon where they had remained since 1989 after the Taif Accords which ended the civil war in Lebanon. The troop withdrawal came as a result of international pressure after the assassination of former Lebanese Prime Minister Rafiq al-Hariri in February 2005. This was followed by a UN investigation into the crime. The investigation's preliminary report (the "Mehlis Report") implicated high-ranking Syrian officials. In December, the former Syrian vice-president, Abdel-Halim Khaddam, issued a statement in London accusing President Assad of direct involvement in Hariri's assassination.

I. Political Rights and Civil Liberties

1. The Executive, Political Parties and Elections

Syria has a one-party regime. No party is allowed except the Baath party in association with seven small parties under its umbrella. Its leaders are in the dominant positions of all state institutions. All other parties are illegal. The "election" of the president is not contested by any other candidate, but occurs through a referendum on the person nominated by the Parliament, in which Hafez El-Assad, and later his son Bashar, have invariably been nominated and won public approval by 99% of the voters. The executive dominates, unchecked, the entire political system. All major decisions are made by the President together with his senior aids in the military, the security forces and the party leaders. The Parliament may criticize policies and modify draft laws, but there is no credible effective political opposition in Parliament, and the executive retains ultimate power over the legislative process.

The last elections for the 250-seat parliament were in March 2003. The elections cannot be characterized as fair and free since the majority of the seats (167) were reserved for Baath Party members, the remaining 85 seats were taken by putatively independent candidates. Women and minorities — except the Jews — participated in the elections without restriction. Though there are no exact figures the results of the election show that some Kurds, Christians, Druze and Shi'a gained seats in the parliament. New parliamentary elections are scheduled for April 2007.

Syria has shown a easing of pressure against Islamists. In April 2006, MP and moderate Muslim cleric Mohammed Habash addressed the officers at the Higher Military Academy, the first invitation since the 1963 rise of the Ba'ath Party to power.

2. The Judiciary, Trials, and Detention

The Constitution provides for an independent judiciary, but cases tried before military and State Security Courts (SSC) are subject to executive influence, and their verdicts cannot be appealed. Normal civil and criminal courts, however, operate with some independence. Trials are public, and except in security cases procedural safeguards are generally observed. Charges in state security cases are often vague, and defendants seem to be tried for exercising normal political rights such as free speech or free association. For example, emergency law permits trying people for "opposing the goals of the revolution" or "shaking the confidence of the masses in the aims of the revolution", or "attempting to change the economic or social structure of the state." In SSC, the defendant is denied basic rights on many counts. For example, defendants did not attend the prosecution's presentation of the evidence to the court, lawyers could not make oral presentations but were only permitted to submit defense briefs, and trials were usually closed to the public.

In June 2005, a state security court acquitted Aktham Na'issa, president of the Committees for the Defense of Democratic Liberties and Human Rights in Syria, of the charge that he opposed "the objectives of the revolution" and disseminated "false information" aimed at "weakening the State." In February 2005, within the declared context of "reform", a presidential decree released 55 prisoners who had spent up to 20 years in jail, most of whom were convicted for belonging to an Islamic group; then in March 2005, 312 political prisoners, including many students were released; and on November 3, the government freed another group of 190 political prisoners which included Muhammad Radun, president of the Arab Organization for Human Rights (AOHR).

In March 2005, the government arrested over 40 students at Tishrin University (in Latakia) for being affiliated with an Islamist movement; some of the students were reportedly tortured. Prominent human rights activist Haithem al-Maleh appeared before a military court to face charges of slander against government officials; his case is still pending. The London-based Syrian Human Rights Committee estimates that approximately 4000 political prisoners still remain in detention in Syria. Many are reported to have been

tortured, including human rights activist Dr. Kamal al- Labwani, resulting in at least four deaths.

The Syrian government released five prominent political prisoners on January 16, 2006 including Riad Seif, a former MP along with nine other opposition activists who were arrested in 2001 during a governmental crackdown on political dissidents.

On April 3, the Syrian State Security Court sentenced Kurdish human rights activist Riad Drar to five years in prison on charges of disseminating false news, inciting sectarian riots, and forming a secret organization. Syrian authorities arrested four human rights activists in the week of March 20, including the former vice president of the Human Rights Association in Syria Mohammad Najati Tayyara. On April 29, the criminal court indicted prominent opposition activist Dr. Kamal al-Labwani for allegedly contacting a foreign power and encouraging it to invade the country. On April 30, 2006 security agents arrested Fateh Jammous, a prominent member of the Communist Labor Party and a member of the broad coalition of Syrian opposition. On November 19, 2006 the Supreme State Security Court (SSSC) sentenced human rights activist Nizar Rastanawi, founding member of the Syrian branch of the Arab Organization for Human Rights, to four years in prison for spreading false information and defaming the president.

3. Civil Society and the Freedom of Association

The Constitution provides for the right of association and assembly, but in practice these freedoms are restricted. All NGOs must be approved and registered with the government, which generally denies approval to reformist organizations. Attempts to organize informally and pursue normal civil rights are prosecuted. Leaders of the Syrian Human Rights Organization, for example, were indicted and tried in September 2002 for illegally forming their organization and for distributing illegal publications. Workers are not permitted to form unions independent of the government. All unions must belong to the General Federation of Trade Unions (GFTU), which is part of the state structure, and acts as a liaison between the government and the workers. The GFTU may suggest legislation, and its president, who is a senior member of the Baath party, may attend cabinet meetings. Strikes are legal, but they rarely occur. NGOs and professional syndicates must be registered and licensed by the government, and are admonished in the Constitution to "build the socialist society and protect the regime." The activities of all associations are closely monitored. Although human rights organizations are not officially

licensed to operate, the government has closed its eye to periodic meetings of such groups. NGOs not engaged in any political activity are usually licensed routinely.

Freedom of demonstration though theoretically permitted is in practice severely curtailed. Some demonstrations are allowed for political reasons; and most that take place are organized by the ruling Baath Party. On March 10, 2006 several peaceful demonstrations and sit-ins protesting the emergency law were broken up by government forces, usually with violence and a number of arrests.

Political forums, discussion groups, lectures, and seminars cannot be held except by prior permission and after submitting details of the planned event and a list of the participants. In August, the government arrested and later released 21 persons for attempting to organize an unauthorized lecture on the occasion of the 40th anniversary of rule by Emergency Law in Syria. In 2002 human rights activists were sentenced to prison terms for calling on the government to expand human liberties. They were charged of committing crimes against the security of the State.

The government continued the practice of extensive repression. Opposition forces and democracy advocates were subjected to arbitrary arrest and long-term detention. Notable victims were Salim al-Salim, Kamal al-Labwani, Nizar al-Rastanawi, Habib Saleh, Riyad Drar al-Hamood and Mahmoud Sarem and eight members of the only active political forum, Al Atassi Forum for National Dialogue. An unprecedented coalition of political reform activists publicly issued on October 16 the "Damascus Declaration for Democratic and National Change". On March 23, 2006 Ali al-Abdullah, human rights activist and member of the Jamal al-Atassi Forum (a predominantly secular group encouraging dialogue among political parties and civil society to promote reform), and his other son, Muhammad, disappeared and were held incommunicado for more than a month before officials acknowledged their detention in April. When the Arab Human Rights Organization president appeared on Al Jazeera on May 21 and spoke of the need for reform in Syria he was promptly arrested the next day and was not released until more than five months later on November 3. On March 1, 2006 authorities closed the European Commission-funded Civil Society Training Center nine days after it opened. And on March 5, 2006, the Syrian government closed the country's first human rights center barely a week after it was established by the Belgium-based Institute for International Assistance

and Solidarity with the aim of offering legal advice and training on human rights issues.

On November 28, 2006 the State Security Court (SSC) tried eight students arrested nine months earlier for "founding a discussion group that put the state at risk of hostile acts." On December 3, four citizens were sentenced by the SSC to terms ranging from 45 days to five years for membership in the banned Islamic Liberation Party.

HRW noted that the all three of the country's internet companies regularly block access to websites that discuss the political situation in Syria like elaph.com and arabtimes.com.

4. Freedom of Speech and the Media

Freedom of expression is severely restricted. The government, utilizing vaguely worded clauses in the Penal Code and the Constitution, may suppress all speech and publications that "oppose the goals of the revolution" or "incites sectarianism." It could also revoke or deny publishing licenses on grounds related to the "public interest." All private newspapers must be censored before publication. A "Democratic Spring" began in 2001 when 1000 intellectuals, in a widely publicized declaration, called for wide-ranging political reforms including an end to rule by emergency law, the release of political prisoners, and free contested elections between several political parties. The declaration brought about the release of some 600 political detainees and the establishment of the country's first privately owned newspaper. But the "Spring" was short-lived. By 2002, the government launched a campaign against the reformist movement and arrested many journalists, human rights activists, and political dissidents. This regression in freedoms continued during 2003 and 2004. In June 27, 2003 the weekly *Domry Journal* was suspended, then one month later its license was revoked; and on 24 August security forces in Aleppo broke into the premises of the human rights activist El-Kawakby and arrested participants in the ongoing debate on "40 years of emergency law."

In June 2006, the Ministry of Information revoked the license of the satirical magazine *Al-Mubki* for criticizing the government; a similar incident occurred with the financial magazine *Al-Mal*, which published an interview that criticized governmental economic policy. Nevertheless, the print and electronic media, especially regional Arab media correspondents based in Damascus, were at times able to critique the government's performance and report on internal political issues.

In May 2006, the state-owned *al-Thawra* newspaper began a new section called "Religion and Life," which focused exclusively on Islamic views and fatwas. Syrian state radio also began broadcasting the dawn and afternoon Muslim prayers.

Radio and TV are state-owned and support only the government's policies and propagate its views. The Internet is closely monitored and tens of sites are blocked, especially those concerned with human rights in Syria and the Kurdish minority. In addition, at least three individuals are currently being detained by the authorities for criticizing the government online.

5. Freedom of Religion

There is no official state religion. The Constitution guarantees freedom of religion, and the government generally respects this in practice, except for some restrictions in certain areas. All religious orders must register with the government, which monitors fund raising and issues permits for all religious meetings not convened for worship. Except for militant Islam, which is considered a threat, the government refrains from involvement in strictly religious issues. It also approves all publications which present religion as an agent of national unity and tolerance. While allowing the construction of many mosques, the government closely monitors all their sermons, and mosques are closed between prayers. There is a strict separation between religious institutions and the state, and all schools are government–run and non–sectarian. Except for the approximately 100 Jews who still live in Syria, religion is not stated on identity papers. Although the law does not specifically disallow proselytizing it is in practice strongly discouraged. Muslims and Christians are subject to their respective religious laws with regard to family issues such as marriage, divorce and child custody. In March 2004, Aktham Naisse, a human rights activist was arrested for writing a report detailing the government's oppression of the Kurdish minority. He was charged with "engaging in activities against the socialist regime and opposing its revolutionary aims." Denied medication treatment in prison for his heart condition, he suffered a crippling stroke.

In November 2005, Muslim groups successfully lobbied government ministries to clamp down on the activities of two secular non-governmental organizations (NGOs). In April 2006, President Bashar al-Assad signed a decree permitting the establishment of a Shari'a (Islamic Law) faculty at Aleppo University. In 2005 and 2006, an American rabbi visited the country

three times. In May 2006, at the invitation of the Grand Mufti, he delivered a speech at an Aleppo mosque to a group of over three thousand Muslims.

6. Women and the Marginalized

The government is active in promoting gender equality in public life by appointing women to senior positions in all branches of government, including two cabinet ministers and the bench, where 7 percent of all judges are women. In the last parliamentary elections of 2003 women won 30 out of the 250 seats. But many discriminatory laws still remain in force, particularly those relating to personal status and family concerns, since they are based on Shari'a which imposes considerable restrictions on the rights of women. Criminal law is also lenient in "honor crimes" committed by men against female relatives for alleged sexual misconduct. The many associations concerned with women that operate in Syria belong to the Syrian Arab Women's Federation, which receives financial support from the government.

The government generally permits national and ethnic minorities to conduct religious and cultural activities, but its attitude towards the Kurds remains a significant exception. The number of the Kurds in Syria is estimated to be between 1.5 and 2 million, representing about 10% of the population, plus some 280,000 Kurds who are denied citizenship by the Syria government and treated as refugees with little if any civil rights or rights to public services. Though the government denies any discrimination against the Kurds, it has placed limits on the use and teaching of the Kurdish language and on publications in Kurdish and Kurdish cultural expression. Kurdish activists are dismissed from jobs, and those suspected of belonging to the banned Kurdish Democratic Unity Party are prosecuted and imprisoned. In 2002, President Bashar al-Assad became the first president in 40 years to visit a predominantly Kurdish province in the northeast and to acknowledge the importance of their cultural heritage.

The high profile assumed by the Kurds in Iraq after the fall of Saddam created a demonstration effect which encouraged the Syrian Kurds to be more vocal and assertive in their demands for justice. To this the Syrian government tended to respond with increased repression, using force to disperse peaceful demonstrations and arresting its leaders, and, in February 2003, bringing some to trial in front of state security courts, claiming that the Kurdish actions threatened national security.

In December 2004, President al-Assad signed an amended "Basic Labor Law" which stipulated that 4% of public sector jobs must be reserved for disabled persons.

II. Prospects for Democratic Change

Syria continues to be a republic with a military regime with a pervasive security police that monitors and controls all aspects of public life. Virtually all authority is in the hands of the President, who receives counsel from the senior members of the Baath party. The government's human rights record remains poor and it continues to restrict basic freedoms. Since the regime is intolerant of political opposition there are very few anti-government manifestations. The present President inherited from his father a heavy legacy of a dictatorial system based on the cult of the supreme ruler. There were initial signs in 2000 and 2001 that the new young President intended to introduce important political reforms that would loosen the grip of the state on civil society. But these promising beginnings did not mature and the years 2002 to 2004 witnessed a regression to the stringent oppressive policies of Hafez El-Assad. Regional and international conditions are the excuse given by officials for the stalled political reforms, which they claim cannot proceed under the current American pressures on Syria. Hope remains, though, that the present stagnant economy of the country, coupled with external prodding, and the recent timid rumblings of discontent within civil society, may eventually lead the regime to liberalize, at least partially, in the interest of its own legitimacy and stability. Already there is a significant decrease in the regime's emphasis on Baathism. Non-Baathist personalities have been appointed to senior posts such as the Minister of Higher Education, the deputy Prime Minister, and the Vice-President.

Two factors seem to impede the significant democratic reforms promised in the last Baath party conference: Syria's current feeling that it is under siege from the West and unsupported by its major Arab neighbors, and the fact that the domestic opposition is weak and fragmented.

Tunisia

Capital: Tunis
Date of Independence: March 20, 1956
Area: 163, 610 km^2
Population (in millions): 10.07 (est. July 2005)
Rate of Population Increase: 0.99% (est. 2005)
Ethnic Groups: 93% Arabs, 5% Berbers, 1% Europeans, 1% Jews/Others
Religious Groups: 98% Muslims, 1% Christians, 1% Jews/Others
Illiteracy: 25%
Number of Provinces: 23 Governorates
Political System: Republic
Head of State: President Zein El-Abedeen Ben Ali
Number of Political Parties: 7
GDP (in billions)—ppp: $87.88
GDP per capita—ppp: $8,600

Overview

Tunisia gained its independence from French colonial rule in 1956, under the leadership of the charismatic Habib Bourguiba who became the country's first president. Bourguiba was a far-sighted politician with a strong development bent. In contrast to his other Arab neighbors, he eschewed heavy military expenditures and devoted all his energies and most of his budget to the building of a strong social infrastructure. One-third of the budget went to education, the cornerstone of sustained development, and women were granted rights unequalled, at the time, in any other Arab country. Political and civil liberties, however, were limited. In 1987, the incumbent Prime Minister, Zein El-Abdedeen Ben Ali removed the aging Bourguiba through a bloodless coup and installed himself as President, promising reforms and the opening of the political system. But with time his rule became increasingly autocratic and repressive, and the liberties he promised failed to materialize; instead, political dissidents were intimidated and harassed, and Islamist groups in particular were treated with considerable harshness.

I. Political Rights and Civil Liberties

1. The Executive, Political Parties, and Elections

Constitution mandates that the President and the members of the Chamber of Deputies (Parliament) be selected by popular vote. Nevertheless, in practice the right of citizens to change their President or their government is very restricted. Still, 2004 witnessed an expansion in Parliament's power, which would enable it to censor the government and even force its resignation. That same year also the previous Consultative body was made into an Upper Legislative House. Although there are eight legally recognized political parties, the political arena is dominated by a single party – the regime's Constitutional Democratic Rally (RCD). In the latest municipality elections held in May 2000, RCD won 94% of the seats after running unopposed in 75% of the municipalities. In the national elections of 1999, the ruling party won all the seats save the 20% (34 seats) reserved by law for the opposition parties. All elections are characterized by marked irregularities including voter intimidation and the absence of secret ballot. The presidential elections of 1999 did not witness even a semblance of a contest; Ben Ali claimed the expected sweeping victory of 99.4% of the vote. The RCD has ruled the country since its independence in 1956, dominating the Cabinet, the Presidency, as well as the regional and local councils of the 24 governorates. All governors are appointed by the President. In May 2002 a referendum to remove the constitutional limit of two terms for a president in office was approved by 99.5% of the voters, thus permitting Ben Ali – unless forcibly removed – to rule for life should he choose to do so. And indeed, in 2004, Ben Ali ran and won by an overwhelming margin a third term in office. Article 41 of the Constitution was also amended to grant the President, upon leaving office, immunity from prosecution for any acts he may have committed during his tenure. In the national election of 2004 the ruling Constitutional Democratic Party won 87.5% of the 189 parliamentary seats, leaving only 37 seats to be competed for by independents and the opposition, as mandated by law. The surreal vote totals with which the President and his party win elections call into question the legitimacy of the entire electoral process, and they are a measure of the authoritarianism of the regime and its severe repression of all political dissent.

To mitigate the built-in advantages given to the ruling party and maintain some semblance of a legislature, the Electoral Code reserves 20% of the parliamentary seats for opposition parties. The government provides

an annual subsidy to all parties, and also partially funds the campaigns of opposition parties that are poor in resources. It also gave opposition parties airtime on radio and television to present their programs.

Although the Parliament is legally entitled to initiate legislation, it in fact does nothing except debate and at most suggest minor changes to presidentially-introduced bills. The ruling RCD party is committed to ensuring that 25 percent of its candidates in legislative elections are women; overall, 43% of the 189 elected deputies are women, one of the highest proportions in the world. In the municipal elections held in May of 2005, the ruling RCD party won 93.9% of the total seats.

2. The Judiciary, Trials, and Detention

The Constitution provides for an independent judiciary; however, the President and the Executive branch strongly influence court decisions, especially in political cases. Judges are appointed, tenured, transferred, and dismissed by the Executive branch, thus, making the judicial system vulnerable to executive pressures. Although a special administrative court reviews cases brought by citizens against the government, its rulings, if not agreeable to the Government, are usually ignored. Political cases are usually tried in military courts, the rulings of which are often rendered after a few minutes of deliberation, and they are not subject to appeal. It is estimated that there are about 1,000 political prisoners, mostly members of outlawed Islamist groups. Trials in the regular civil and criminal courts are not always observed. Lawyers and human rights organizations have complained that courts systematically ignore the investigation of allegations of mistreatment and torture to extract confessions. Defendants may be detained for extensive periods of time before trial; some have claimed that their pre-trial detention lasted years. The new law passed in 2004 to combat terrorism expanded the definition of subversive activities and enlarged the powers of security forces to arrest and detain suspects without trials for indefinite periods. Human rights organizations alleged that the government had arrested and imprisoned more than 500 persons since 2005 on charges related to a 2003 antiterrorism law, without sufficient evidence, and frequently punished family members of Islamist activists.

Military tribunals try civilians accused of crimes affecting national security. A May 2, 2002 Amendment of the Penal Code also requires all citizens to defend Tunisia's independence, national sovereignty, and integrity. Such vague wording could potentially be used against citizens who criticize the regime and its policies.

Although the Constitution specifically prohibits arbitrary arrests and detention, in practice, security forces arbitrarily arrest and detain individuals; lengthy pre-trial and incommunicado detentions are frequent. Human Rights Watch released a 2005 report accusing the government of holding 40 of the country's more than 500 political prisoners in solitary confinement. On April 19, 2005 the government then announced that solitary confinement shall not exceed 10 days. On April 26, 2005, the government announced that it would allow the International Committee of the Red Cross (ICRC) and Human Rights Watch (HRW) regular visits to prisons in Tunisia, an allowance which has not been granted to any independent human rights organization since 1991. On February 26, President Ben Ali released 1,298 prisoners from prison and granted "conditional freedom" to 359 others. Among those released were 87 members of the banned Islamist party An-Nahda. On November 11, 2006 Tunisia's President Zine El Abidine Ben Ali pardoned 55 Islamist detainees, including two leaders of the outlawed An-Nahda party.

Human Rights Watch pointed out that more than 300 political prisoners remain under detention after the presidential pardon announced on February 25, which freed or conditionally freed 1,650 prisoners including more than 80 political detainees. Several domestic NGOs, including the National Council for Liberties in Tunisia (CNLT) and the Association for the Fight Against Torture in Tunisia (ALTT), reported multiple torture cases throughout the year. On March 11, according to the LTDH, police agents beat former political prisoner Abdeljabbar Maddouri. However, authorities did not charge any police or security force official with abuse during the year.

3. Civil Society and the Freedom of Association

The Constitution allows for freedom of association, but in practice this freedom is very limited; consequently, civil society organizations are quite weak. NGOs are not allowed to engage in political activities and must be registered with the Ministry of Interior. The government has banned a number of opposition groups, notably the Islamist al-Nahda and the Tunisian Workers Communist Party; and human rights groups have been subjected to harassment, intimidation, and arrest. In 2003 and 2004, the government resorted to a novel method of attacking prominent dissidents in civil society by ways of publishing virulent character assassination articles against them in several papers simultaneously. Nevertheless, the number of NGOs has tripled since Ben Ali assumed power in 1987, bringing their number in 2003 to 7,321. However, several human rights organizations are still denied

license to practice for no apparent reason. There is also a governmental organization charged with supervising human rights and basic liberties, yet this organization is much more concerned with monitoring human rights groups in society than in safeguarding the guarantees of human rights.
The Constitution provides for freedom of assembly, however, public gatherings require prior permission. Workers have the right to form unions, to bargain collectively, and to strike, but only after approval of the General Union of Tunisian Workers. About 15% of the workforce is made up of union members. Unions are legally independent of the government, and they cannot be dissolved except by court order. The Tunisian General Federation of Labor has shown some independence regarding economic and social issues, and it has spoken out in support of a greater measure of democracy.
In September 2005, the government closed the office of the Association of Tunisian Judges and banned the congress of the Union of Tunisian Journalists. During 2006, five Tunisian opposition parties, led by the Progressive Democratic Party, have accused the government of harassing activists in civil society organizations in Tunisia. Human rights activists claimed that the government punished family members of Islamist activists for crimes allegedly committed by the activists.

4. Freedom of Speech and Media

Although the Constitution guarantees freedom of speech and of the press, Tunisia's press freedoms are among the most restricted in the Arab world. Freedom of speech is also severely restricted. Numerous independent newspapers and magazines, including several opposition party journals, are in circulation, but the entire process is censored directly via a governmental central office, in addition to other indirect controls, including self-censorship. While the government permitted public criticism in opposition newspapers, it impeded similar criticism in the mainstream press. Individuals and certain groups faced reprisal for statements critical of the government. For example, in April 2005 a court found Mohamed Abbou, a lawyer, guilty of publishing statements "likely to disturb the public order" in which he compared the fate of Iraqi prisoners in Abu Gharib to that of citizen prisoners.

Several newspapers and magazines, such as El-Makassed, El-Kalema, and Bada'il Wateniyya, are still denied license without any given reason. The Press Code contains broad vaguely defined provisions prohibiting "subversion" and "defamation," that are used to prosecute political dissidents. In a speech in 2001, President Ben Ali stated that while freedom of expression is a basic right, those citizens who criticize the government in the foreign media are "traitors" and shall be prosecuted accordingly. Thus on

October 21, authorities charged opposition political leader Moncef Marzouki with "threatening to disturb the public order," following appearances on Al-Jazeera earlier in October in which he criticized the government and called for civil disobedience. Many journalists are serving sentences in prison, some since the early 1990s. At years end the Tunisian Newspapers Association remained expelled from the World Associations of Newspapers for its failure to oppose the repression of freedom of the press in its own country. The government continues to pursue a policy of extensive intimidation and harassment of dissident voices in the press, through a variety of means including threats, arbitrary arrests and detention, suspension of publications, the interruption of telephone lines, and cancellation of governmental advertising contracts. All year round the government-controlled press and the media conduct a running campaign extolling the achievements of the government. The government often pressured newspapers to carry the official wire service's version of an event, even when their own journalists were present.

In May 2005, President Ben Ali announced the abolition of the "Legal Deposit" procedure which obliges editors of newspapers to deliver to the authorities a copy of every publication in return for a "deposit receipt" that allows its distribution. On September 7, 2005, the Tunisian government banned the Union of Tunisian Journalists from holding its first press conference. Under these conditions, it is no surprise that according to the *Wordwide Press Freedom Index* by Reporters without Borders, Tunisia ranks 152 out of 167 countries. In the words of Reporters without Borders: "The emergence of a free and independent press [in Tunisia] remains a mirage." On November 25, 2006, Tunisia closed its embassy in Doha in protest at what it called a "hostile campaign" against it by the Qatar-based satellite channel Al-Jazeera.

The broadcast media is state-owned. While it is strongly biased in favor of the government's views, it has of late been forced to upgrade its programs by permitting, to some degree, the expression of different points of view on international issues.

The Tunisian government's internet censorship policies are among the most repressive on earth. All internet cafes are state-owned, and are kept under close police surveillance. In addition, the internet itself is rigorously censored, and members of the security forces routinely harass bloggers and opposition website editors. The government has also been known to immobilize the communication capacity of prominent opposition figures by flooding their email accounts with hundreds of unintended messages.

5. Freedom of Religion

Generally speaking, the government respects religious freedoms. Islam is the state religion. Other religions – to which only 2% of the population belong– are free to practice their faith, except the Bahai's, who are considered a heretical sect of Islam and are not permitted to worship publicly. The government does not permit proselytizing or the formation of political parties based on religion. Christian literature may be distributed if in English but not in Arabic. The government subsidizes mosques and some Jewish synagogues and pays the salaries of Muslim prayer leaders as well as that of the country's Grand Rabbi. Islamic religious education is mandatory in public schools which also, however, also teach something of Jewish and Christian histories. The government, however, does not permit the building of new churches. The traditional Muslim headscarf (*hijab*) worn by women is forbidden in government offices. Muslims who convert to another faith face social ostracism as well as some governmental retributive measures, such as denial of passports, in order to discourage such conversions.

The Personal Status Law is based primarily on Islamic jurisprudence. It governs personal status issues for all Tunisians, irrespective of religion. Although family and inheritance law are based on the Napoleonic code, civil law judges sometimes apply Shari'a law in family cases (especially those involving child custody) if the two systems conflict.

6. Women and the Marginalized

The rights of women in Tunisia are far more advanced than in any other Arab country. The National Union of Tunisian Women, which extends assistance and help to women, is sponsored and subsidized by the government. The government has also advanced the rights of women by providing support to divorced women, and helping eradicate women's illiteracy which is 20% above that of men. Women comprise about 30% of the entire work force, 31% of lawyers, 40% of teachers, and 34% of journalists. Women serve in higher echelons of the government as cabinet ministers (1) and secretaries of state (5), and they occupy more than 13% of the top positions. Two women also serve in the 15-member high Judicial Council. They also constitute 37% of the civil service, 33% of the nation's jurists, and they occupy 22.7% of seats in municipal committees. Lately, the ruling party announced a minimum representation of 25% for women in both the national legislature and municipal committees. Despite these impressive achievements women are still victims of societal and economic discrimination in certain areas. Also Shari'a law, which discriminates against women, is applied in cases of inheritance and family concerns.

Although family and inheritance law is codified, civil law judges were known to apply Shari'a – to the disadvantage of women – in family cases where the two systems conflicted. For example, codified laws provided women with the legal right to custody over minor children; however, judges sometimes refused to grant women permission to leave the country with them, holding that Shari'a appoints the father as the head of the family and the one who must grant children permission to travel. Some families avoided the application of Shari'a inheritance rules by executing sales contracts between parents and children to ensure that daughters received shares of property equal to that of sons. On the other hand, the Government continued to demonstrate respect for religious freedom of minorities, as well as the rights of women and children.

II. Prospects for Democratic Change

While the regimes in most Arab countries have oscillated in the last few years between partial openings and closings of their systems, the Tunisian regime of Ben Ali has maintained an unrelenting campaign against all forms of dissent, and clamped down on associations of civil society including human rights organizations and labor unions, and imposed severe restrictions on freedom of speech and political activity. Consequently, the present state of political rights and civil liberties in Tunisia remain far below the international standards for human rights, yet the socio-economic foundations for a modern democracy are robust and promising. Tunisia's recent strong concern with strengthening its relations with the West, in particular with the United States, will no doubt prod it to liberalize its system and improve its human rights record vis-à-vis political dissidents and critics of the regime. So far, however, it is not expected that the regime will undertake in the near future any major step to change the status quo in the direction of democratization.

United Arab Emirates

Capital: Abu Dhabi
Date of Independence: 2/12/1971
Area: 82880 Km²
Population (in millions): 2.6 (est. 2005)
Rate of Population Increase: 1.54% (est. 2005)
Ethnic Groups: 19% Emirates, 23% Arabs and Iranians 50% South Asian, 8% Europeans and South East Asian (1982)
Religious Groups: 76% Muslims (of which 16% are Shi'a), 9% Christians, 15% Hindus and others
Illiteracy: 12%
No. of Provinces: 7 Emirates
Polity: Monarchy
Head of State: Zayed Bin Sultan al–Nahyan
No. of Political Parties: There are no political parties
GDP (in billions)—ppp: $63.7 (2005)
GDP per Capita—ppp: $25,200 (2005)

Overview

The UAE is a federation of seven emirates, previously known as the Trucial States, which was established in 1971 after the British withdrew from the Persian Gulf. The federal constitution stipulates that the federal president is chosen every five years, by rotation, from among the seven rulers of the emirates, yet in practice the ruler of Abu Dhabi, Sheikh Zayed Bin Sultan al-Nahyan, has always held that post. In 2004 Sheikh Zayed died after reigning for 37 years in which he laid a solid foundation for a stable state with a booming economy. He was succeeded by his son Sheikh Khalifa. The economy of the emirates had depended on fishing and the pearl trade until oil was discovered in the 1950s. Since then, the UAE has invested, heavily, the revenues of its oil exports into the petro-chemical industry and the building of a modern economy. At present the per capita income of the UAE is $22,000, more than twice that of its oil-rich neighbor Saudi Arabia. What is more remarkable is that most of that wealth is not derived from the sale of oil or gas but from industry, trade, and maritime

services. Although Abu Dhabi remains the engine of this economic growth, and is the region's largest free-trade zone, other emirates of the UAE have made considerable contributions. The emirate of Sharjah deserves special mention for having developed into a major manufacturing sector. As a result of the Country's high economic performance it was ranked in 2004 by International Business Monitor as number one in the Middle East in terms of economic stability, and number 16 in the world.

I. Political Rights and Civil Liberties

1. The Executive, Political Parties and Elections

There are no political parties in the UAE. The political arena exhibits a curious amalgam of modern institutions and traditional tribal customs. The state's 40–member Federal National Council (FNC) (Majlis al-Itihad al-Watani), composed of delegates appointed by the seven Emirs—in proportion to the population of each emirate—serves as a consultative body without any legislative power. While it cannot draft or reject any legislation, it can however send back bills to the cabinet for reconsideration. The seven rulers of the emirates constitute collectively the Federal Supreme Council (FSC), which holds supreme executive and legislative powers, supported by prominent tribal chiefs. The FSC selects the president and vice president from among its members, and ratifies whatever federal legislation is passed. All major posts in the federation are occupied by members of the seven ruling families. The citizens of the UAE may be able to raise their demands to their rulers via associations in civil society in the regular open meetings which the rulers have with groups of citizens. Political discussions and gatherings are held in private homes. However, in recent years an accelerated effort is being made to establish modern governmental institutions to deal with problems previously handled by traditional tribal methods. Citizens have no means for changing their governments democratically .

For the first time in its history, 50 percent of the FNC were selected in contested elections that took place in December 2006. This, however, was not a general election, but one in which 6,689 citizens (including 1,189 women) were chosen as electors by the ruling elite. Confounding expectations, this electoral board included Emiratis with little or no education as well as business leaders and prominent individuals. There were

456 candidates, including 65 women, for 20 seats. Amal Abdullah al-Kubaissi became the first woman elected to the FNC. The FNC has very limited powers. Islamists were absent from the electoral board and the candidates, though they are less influential in the UAE than surrounding nations.

2. The Judiciary, Trials, and Detention

Although the constitution provides for an independent judiciary, the judiciary in fact is not independent since judges are expatriates hired under contract for limited terms that are renewable. Moreover, court verdicts are subject to review by the political ruler. Trials are conducted in open court and are reasonably fair, and the rights of defendants to legal counsel and due process are observed. The judicial system includes both secular courts as well as others that are governed by the Islamic Shari'a law. In some emirates, however, the Shari'a courts consider both family matters as well as civil and criminal cases. The jurisdiction of the latter mainly covers crimes that attach to a specific punishment mentioned in the Qur'an, as well as family law. Arbitrary arrest is prohibited by law; however, the police may hold subjects incommunicado for indefinite periods of time, by court order, without any charge being brought against them .

The release of prisoners whose sentence has been completed is often delayed as a result of complicated bureaucratic procedures. Non-Muslims who are tried for criminal offenses in Shari'a courts can receive civil penalties at the discretion of the judge. Shari'a penalties imposed on non-Muslims can be overturned or modified by a higher court.

An anti-terrorism law passed in July 2004 allows public prosecutors to hold suspects in terrorism-related cases without charge for 6 months, an increase over the previous 3-week limit.

According to the 2006 Corruption Perceptions Index produced by Transparency International, the UAE is the least corrupt Arab nation, ranking 31 in the world in terms of transparency.

3. Civil Society and the Freedom of Association

The Constitution provides for civil freedoms but in practice the government limits freedom of association, and the establishment of NGOs is subject to governmental approval. There are about 100 NGOs registered with the Ministry of Social Affairs. However, numerous unregistered NGOs are left to operate without government interference. Most NGOs focused on

social and humanitarian activities, and a few are concerned with human rights. Registered NGOs are subsidized by the government. Publications by NGOs must receive prior government approval, though this restriction has not been consistently enforced. Trade Unions are prohibited except for the UAE Chamber of Trade and Industry and the UAE Women's Federation. While unions are illegal, professional societies like the Dubai Press Club and the Engineer's Society are permitted. The total number of NGOs is estimated to be 132—covering the fields of education, culture, religion, charity, sports, arts, and women's concerns, plus several associations for foreign expatriates. However, these associations are generally weak since their leadership lacks sufficient cadres with adequate managerial skills and training. The government subsidized associations that were organized for economic, religious, labor, social, cultural, athletic, and other purposes, but not for political purposes. On February 18, 2006 the nation's first human rights association was formed. Permits are required for organized public gatherings, which are invariably denied if the purpose is political. Otherwise the government was tolerant of informal gatherings held even without a prior government permit unless there were complaints .

Thus citizens resort to holding political discussions in *majlises* that are held in private homes only. Strikes and demonstrations are prohibited. A major human rights problem in the UAE concerns the abuse suffered by foreign labor that make up a staggering 98% of the entire private labor force (about 1.7 million). The system of the Kafil — which makes it mandatory that every foreign worker have a local national as guardian — has enabled employers to mistreat their foreign employees, often treating them like serfs . During 2005, there were approximately 20 widely publicized, organized gatherings of workers complaining of unpaid wages and unsuitable working conditions. Though these gatherings occurred without prior permission the government did not interfere. Following more protests this year, the government has pledged to legalize trade unions and institute a minimum wage, which is part of the UAE Labor Law of 1980 but has never been put in place. While unions are illegal, professional societies like the Dubai Press Club and the Engineer's Society are permitted.

4. Freedom of Speech and the Media

Although the Constitution protects freedom of speech, it is in practice strictly limited. The broadcast media is largely owned by the state and is under its full control. Journalists and writers exercise self-censorship in

discussing government politics and other sensitive issues like religion or national security. All printed material is subject to Law No. 15 of 1988, which requires that all publications obtain prior license from the Ministry of Information, and subjects them to governmental review. Moreover, the law also lists a number of prohibited topics. Although the press is mostly privately owned yet it obtains monetary support from the government, and is frequently used by the government to propagate its policies and publicize its achievements, usually in an exaggerated form. Foreign publications are censored. According to Reporters Without Borders annual report, the UAE ranks th137 out of 167 countries in terms of freedom of the press. Although the broadcast media is almost entirely state-owned and follows governmental guidelines, it is nevertheless among the most liberal in the Arab world. In 2003the privately owned Al-Arabiyya satellite channel was licensed, and rapidly gained prestige for liberal and balanced news casting and debates.

Censors at the Ministry of Information and Culture reviewed all imported media and banned or censored before distribution material considered pornographic, excessively violent, derogatory to Islam, supportive of certain Israeli government positions, unduly critical of friendly countries, or critical of the government or the ruling families .

5. Freedom of Religion

The Constitution provides for freedom of religion in accordance with established customs, although these customs restrict this right in practice. Islam is the official religion of the state, and 84% of the Muslim citizens are Sunnis, with the remaining 16% Shi'a. The Constitution protects religious freedom "within the limits of custom and tradition." The government controls and monitors all Sunni and Shi'a mosques, and limits the activities of religious associations and their efforts at recruitment, allowing only their performance of religious rites. A Shi'a minority (residing mainly in the north of the country) is permitted freedom to practice their religion but is denied the government subsidy which is granted to Sunni mosques, although they do not deviate in theirs sermons from the topics approved by the state. The Shia's are also prohibited from proselytizing. There is a small minority of Christians and Sikhs to which the government accords very decent, indeed very generous, treatment that has extended to contributing the land to the building of 23 churches and two Hindu temples. Non-Muslims, however, are strictly prohibited from proselytizing or distributing their religious literature. The state encourages a tolerant moderate form of Islam, and provides

incentives for non-Muslims to convert to Islam, such as public honor and celebration, and the reduction of prison terms for inmates who convert .

Individual emirates exercised considerable autonomy in religious matters. There did not appear to be a formalized method of granting official status to religious groups. Facilities for Christian congregations were far greater in number and size than those for other non-Muslim groups, which significantly outnumber the Christian population. There are 24 Christian churches in the country and Christian primary and secondary schools operate in four emirates. There is one temple for both Sikhs and Hindus located in Dubai. There are no Buddhist temples; however, Buddhists, along with Hindus and Sikhs in cities without temples, conducted religious ceremonies in private homes without interference.

6. Women and the Marginalized

There is broad legal and societal discrimination against women. Shari'a, or Islamic law, governs the personal status of women, but civil law governs their activities in the civic and commercial sphere. The government was generally not effective in enforcing women's rights and protecting women from abuse, which is pervasive within households. Male guardians within the family have a legal right to discipline women at their discretion, including use of physical violence.

Very few women participate in public life. Tradition does not encourage women to work outside the home. A significant number of women work in the government as well as in education and the professions, although they suffer from various kinds of discrimination in job benefits and promotion. A number of NGOs focus on women's rights, and the prevention of domestic violence against them. As in all other Arab countries, Islamic law imposes legal discrimination against women vis-à-vis men with regard to divorce, inheritance and personal freedoms.

Opportunities for women grew in government service, education, private business, and health services. According to Ministry of Planning, female citizens constituted approximately 26 percent of the national workforce, an 11 percent rise over the past 10 years. The government publicly encouraged female citizens to join the workforce and ensured public sector employment for all that applied. According to government statistics, women comprised approximately 42 percent of all employees in education, 34 percent in the health sector, 20 percent in social affairs, 28 percent of all civil servants, and 57 percent of citizens working in banking and financial

services. Women constituted approximately three-fourths of all university students. But there are very few women in senior positions. Five are among the 40-member Consultative Council of Sharjah. On July 8, 2003 eight women were taken as diplomats in the Foreign Service. In November 2004, the first female was made minister. On February 9, 2006 a new cabinet was formed including the second woman ever to hold a cabinet level post. Women will now be able to participate and run as candidates in this year's election.

Societal discrimination against non-citizens, while not legally sanctioned, was prevalent and occurred in most areas of daily life, including employment, housing, social interaction, and healthcare. National origin played an important role in employment, immigration, and security policies, as well as cultural attitudes towards non-citizens, which comprised approximately 85 percent of the national population.

The Shi'a minority has succeeded economically but it also suffers from a measure of discriminatory measures by the government as previously noted above.

Education in the UAE is gender segregated at all levels. The female literacy rate was 80.3% in 2003, compared with 75.6% for men. Women now account for 75% of the students body at Al-Ain University, though such gender imbalances may be due to the fact that many male students study abroad, while females generally do not.

There are as many as half a million migrant construction workers in the UAE, whose monthly wages range between $106 and $250, far less than the national average of $2,106. Hundreds of these workers die each year (the remains of 880 construction workers were repatriated in 2004), but scant enforcement of labor laws ensures that these deaths are not investigated. Unskilled laborers are generally indentured servants, having paid between $2,000 and $3,000 in transportation and visa costs, who have no recourse but to remain in the UAE to pay off their debts.

II. Prospects for Democratic Change

The UAE, while still deeply in the grip of a traditional tribal culture, has taken great strides in the use of modern Western technologies, and has exhibited a marked degree of liberalism that promises to pave the way for the establishment of democratic institutions in the not too far future. So far

the UAE has managed to minimize much of the legal aspects associated with autocratic rule, and succeeded in developing the most vibrant economy in the region, all within the context of a very stable environment. It is expected that the country's keen drive to attract foreign investments in the interest of its economic development will lead to greater liberalization of the entire system.

According to the 2006 Corruption Perceptions Index produced by Transparency International, the UAE is the least corrupt Arab nation, ranking 31 in the world in terms of transparency.

Yemen

Capital: Sanaa
Date of Independence: While the North of Yemen was never occupied, the South was under British occupation until 1967. The union of the North and South was declared in 22/5/1990
Area: 527970 Km²
Population (in millions): 20.7 (est. 2005)
Rate of Population Increase: 3.45% (est.2005)
Ethnic Groups: The great majority are Arabs & some Africans
Religious Groups: 99% Muslims (Sunna & Shi'a), few Christians and Jews
Illiteracy: 50%
No. of Provinces: 20 governorates
Polity: Republic
Head of State: Ali Abdallah Saleh
No. of Political Parties: 12
GDP (in billions)—ppp: $20.38
GDP per Capita—ppp: $900

Overview

Yemen is one of the oldest centers of civilization in the Middle East. The coastal plain of Southern Yemen came under British control in the mid nineteenth century, and when British forces left in 1967, the area succumbed to Marxist rebels. In 1990 the Southern regions of Yemen was unified with the much larger Northern Yemen under the northern President Ali Abdullah Saleh. An attempt at secession and the re-establishment of an independent South Yemen three years later was militarily crushed.

Yemen today faces a host of internal and external problems which impede its democratic transition. Predominant among these is the prevalence of political violence, the existence of several radical Islamic groups, and the power of numerous tribal chieftains who are almost autonomous a situation that hinders the process of control over their respective territories of state building and the full control of the central government over the territory of the entire country. This condition has gained the Yemen the reputation of

being a safe haven for terrorists, until the government after 9/11 took drastic measures to combat terrorism in cooperation with the United States.

I. Political Rights and Civil Liberties

1. The Executive, Political Parties and Elections

In September 2006, President Ali Abdullah Saleh was reelected with 77.2% of the popular vote for a new seven-year term, after having already ruled for 28 years. The EU election observation commission stated that although the election was not free from shortcomings, including a moderate level of violence, by and large the process was an "open and genuine political contest." Local council elections were also held on the same day, in which the voter turnout was 65%. The elections were monitored by some 45,000 observers, according to the Yemeni Supreme Court of Elections and Referendums.

In addition, many constituencies were redistricted a month before the election, in a manner that was not transparent to the public, international observers, or the opposition parties. Opposition and independent observers noted redistricting resulted in the allocation of more local council representatives for constituencies that were viewed as pro-government.

President Ali Abdullah Saleh appears to be grooming his 37-year-old son, Ahmad, to inherit the reins of power. This fear was among the main motivations that brought Yemen's diverse opposition parties — socialists, Islamists and Baathists — together in this year's elections.

Real political power resides in the hands of the executive, particularly the President. The Constitution stipulates that Islam is the source of all laws, and calls on the Parliament to initiate legislation, but so far it is the executive that has proposed all bills. Parliament, however, has debated the draft legislation submitted by the government, and although the ruling party has a clear majority, it has sometimes radically revised and even blocked some bills. The government has also routinely consulted with senior members of Parliament when drafting important legislation. Ministers were frequently called to answer questions and justify actions; and members were often sharply critical in these sessions. Amendments to the Constitution abolished the President's power to issue decrees while Parliament was in recess.

The Shura (Consultative) Council, which was merely an advisory body, was also expanded from 59 to 111 members and given some legislative powers.

All political parties must be registered in accordance with the Political Parties Law, which stipulates that each party must have at least 75 founders and 2,500 members. The last national elections, which took place on April 28, 2003, were fair and free. Voter turnout was 68% and 821 candidates, including 37 women, competed for the 301 parliamentary seats. Most of the candidates belonged to Yemen's four major parties, though a few ran also as independents. The elections were monitored by an independent electoral commission, and though fair, were however marred by considerable violence. The ruling General People's Congress (GPC) party of President Ali Saleh won 225 seats (78%), the (Islamic) Yemen Reform Party (Islah) 50 won seats (17%), the Yemen Socialist party won 7 seats, and each of the Nasserist and Baath parties won two seats; the rest went to independents. The parliamentary elections were deemed free and fair by both domestic and international monitors. However, the election campaign was deeply biased since the State devoted its resources to support candidates of the ruling party. Provincial governors who wield effective local power are appointed by the President.

2. The Judiciary, Trials, and Detention

The constitution provides for an autonomous judiciary, but in fact the judiciary is not independent. Judges are appointed by the executive branch and have sometimes been subject to removal or reassignment for having handed down rulings against the government. Poor training and corruption have further undermined the independence of the judiciary. Tribal members at times threatened and harassed members of the judiciary. Moreover, the executive has often been lax and reluctant to carry out sentences. Judicial reforms funded by external donors to combat the above ailments have been instituted since 1999. In some governorates the tribal leaders exercise powers beyond the control of the central government. Consequently, local tribal leaders often continue to settle disputes and even criminal cases in their own tribal courts in the territory under their command. The Yemeni constitution provides due process safeguards, and prohibits extra judicial courts, yet in recent years trials of alleged terrorists were undertaken by military tribunals, and Amnesty International reported that arbitrary arrests were frequent and thousands were being held incommunicado for long

detention periods. Security forces routinely detained relatives of fugitives while the suspect was being sought. On April 3 2005, military forces arrested 22-year-old Munif Damesh and his 50-year-old uncle Naif Damesh (both of whom working for two foreign journalists) and detained them without charge or trial. At year's end the two were still being held for unknown reasons and had not been allowed to contact their families or a lawyer. According to the National Organization for Defending Rights and Freedoms (HOOD), four Cameroonian nationals have been held in prison for unknown reasons since March 1995. On September 17, 2005, parliament, on questioning the minister of interior about the case, extracted a promise to look into the matter but by year's end nothing was done. There is also credible evidence that abuse and torture were often used to extract confessions. But July 2004 witnessed, for the first time, the trial of two police officers accused of torture.

The law prohibits torture; however, according to reports from NGOs, members of the Political Security Office (PSO) and the Ministry of Interior (MOI) police forces tortured and abused persons in detention to obtain confessions. Although penal law permits amputations and physical punishment such as flogging for some crimes, which the government maintains is in accordance with *shari'a* (Islamic law), there were no reports of amputations or floggings during 2006. On July 12, seven Taiz police officers, who were on trial for the severe torture of a juvenile murder suspect in 2004, were tried and acquitted of all charges. There was no further information on the 2005 cases of seven police officers, who were referred to the courts for prosecution on charges of torture.

Security forces did not observe due process when arresting and detaining suspects. Members of the security forces continue to arrest or simply detain persons for varying periods of time without charge, notifying their families or a hearing. At the year's end it was unknown how many people the government was holding on suspicion of terrorist affiliation or activities. A large percentage of the total prison population consisted of pretrial detainees, some of whom had been imprisoned for years without charge.

In January, the Higher Judicial Council, which oversees the judiciary and is headed by President Saleh, dismissed 22 judges without compensation and benefits, ordered more than 100 judges into early retirement, appointed 25 new judges, and moved several judges to different positions in an attempt to advance judicial reforms.

During the year, the United Nations Development Program (UNDP), in conjunction with the Ministry of Justice (MOJ), expanded its model penal court program to eight courts of appeal across the country. These courts, which abided by higher standards of accountability and transparency than normal courts, were designed to provide greater access to under-represented groups such as women and the poor.

Yemen's parliament is debating an anti-corruption draft law, which, if passed, will establish a National Authority for Fighting Corruption to investigate corruption in state institutions.

3. Civil Society and the Freedom of Association

Despite occasional complaints, freedom of association is guaranteed by law and is generally respected. However, all associations are prohibited from any political activities. There are currently 4105 licensed NGOs, including a few concerned with human rights and the rights of women. Professional syndicates and workers' unions are free to operate, but the government usually manages to place some of its men in influential positions with these associations. The Yemeni Confederation of Labor Unions is the sole labor federation. The right to strike is not totally banned but limited to obtaining prior permission from the Federation. Freedom of assembly is guaranteed by the Constitution but limited in practice. Some demonstrations were disrupted by the police, who alleged that the intervened to prevent them from degenerating into violence.

All NGOs must obtain an operating license, which is usually a routine procedure. By law the government provides all legally operating NGOs with an annual stipend. Some NGO professionals complained that NGOs that did not agree with government policy were subject to different registration and funding criteria than those deemed loyal by the ruling GPC party leadership.

Deeply entrenched traditional tribal and religious structures constitute serious impediments to civil society activity in Yemen. Overall, there is a distinct lack of genuine grassroots involvement in the political and democratic processes of the country.

4. Freedom of Speech and the Media

Freedom of expression is limited. The constitution provides for freedom of speech and of the press "within the limits of the law"; however, the government did not respect these rights in practice. Although the government maintained its commitment to freedom of the press, frequently

journalists are charged with violation of article 103(a) of Press and Publications Law Number 25 of 1990 which prohibits "publications that harm the Islamic faith and its sublime principles or that degrade the Semetic religions, and humanitarian beliefs; or publication of material that "might spread a spirit of dissent and division among the people" or "lead to the spread of ideas contrary to the principles of the Yemeni Revolution, is prejudicial to national unity or distorts the image of the Yemeni, Arab or Islamic heritage. The 1990 Press and Publication Law also criminalizes "the criticism of the person of the head of state... [that] does not necessarily apply to constructive criticism," the publication of "false information" that may spread "chaos and confusion in the country," and "false stories intended to damage Arab and friendly countries or their relations" with Yemen. The country's security apparatus, including the NSB and elements of the military threatened and harassed journalists to influence press coverage. Although most citizens were uninhibited in their private discussions of domestic and foreign policies, they generally were cautious in public, fearing harassment for criticism of the government.

The broadcast media is government-owned and presents only the official view. The press and other private publications, however, give voice to diverse views. But journalists and writers may be harassed, detained and imprisoned even up to five years on such vague offenses as "humiliation of the state," the publication of "false information that threatens public order or the public interest," or the use of language that "disparages religion." Consequently, journalists tend to exercise a high degree of self-censorship, particularly with regard to foreign policy or governmental corruption. At least three publications were closed in 2002 and some twenty journalists were reportedly arrested or summoned for questioning after writing articles that were considered offensive, and in several cases offenders received prison sentences, others suffered extended pretrial detention. In December 2004 the editor and five journalists of the daily paper *Al-Esboa* were sentenced to three and five months respectively for addressing "moral issues harmful to society." On 10/11/2002 an association concerned with the rights of journalists and freedom of the press was founded in Yemen and the Arab Gulf countries. In February 2004 several owners of video shops were arrested for selling tapes carrying songs that criticized economic conditions in Yemen. Permits are required for public gatherings but these are routinely granted.

Press law regulations specify that newspapers and magazines must apply annually to the government for licensing renewal. There were no reports of denied registrations; however, there were reports that the government did not act on the license applications of at least two independent newspapers. The government granted new press licenses to at least three newspapers.

The Ministry of Information influenced the media through its control of printing presses, subsidies to newspapers, and its ownership of the country's sole television and radio outlets. There were 8 government-controlled, 41 independent, and 30 party affiliated newspapers. There were approximately 90 magazines of which 45 were private, 27 were government-controlled, and 18 were party-affiliated. The government selected the items to be covered in news broadcasts, and it often did not permit broadcasts critical of the government. The government televised parliamentary debates and occasionally permitted broadcasts of aggressive criticism of ministries.

Authors of books were required to obtain a certification from the Ministry of Culture prior to publication. Most books were approved, but reports indicated that the ministry monitored and sometimes removed books from store shelves after publication. In 2005 publishers were banned from distributing some books that espoused Zaydi-Shiite Islamic doctrine, which is followed by approximately 30 percent of the population.

On November 25, a lower court convicted Kamal al-Olufi of *Al-Rai Al-Amand*, sentenced him to a one-year prison term, closed the paper for six months, and barred him from writing for six months. On December 6, Mohammed Al-Assadi, editor of the Yemen Observer, was convicted and fined approximately $2,500 (500,000 riyals). On December 13, a lower court convicted two journalists from *Al-Hurriya*, Akram Sabra and Yehya al-Abed, who received a suspended sentence, one-month closure of the newspaper, and a one-month writing ban. At year's end, all three cases were being appealed. On July 20, a Sana'a court fined the opposition weekly *Al-Wahdawi* and banned its editor-in-chief from practicing journalism for six months. The case against *Al-Wahdawi* stemmed from an August 2005 article alleging misdemeanors by members of the Republican Guard in seizing land in Dhamar Province. Throughout the year, *Al-Thawri* and its editor-in-chief, Khalid Salman, were defendants in over 14 ongoing civil suits. The paper published a series of articles critical of government corruption and the president. The run up to the 2006 election witnessed several reports of prosecution, harassment and violence against journalists. Distributors of opposition election tapes were arrested and the tapes confiscated.

5. Freedom of Religion

Islam is the state religion. Sunni Muslims constitute 70% of the population while 30% are Shiites. Non-Muslims may worship freely but they may not proselytize or construct new places of worship without permit. Government actions to counter the increase in political violence restricted some practice of religion. For example, in January 2005 the Government banned the celebration of Ghadeer Day in the Saada Governorate, a holiday celebrated by some Shi'a. The Government also reportedly limited the hours that mosques were permitted to be open to the public, reassigned Imams who were thought to espouse radical doctrine, and increased surveillance and detention of members of the Shabab.

In February 2004, a previously established church in Aden was allowed to reopen. In June 2004, despite local opposition, the Government permitted a church to raise a cross on top of its building. Yemeni Jews, who are estimated to be around 500, face restrictions regarding places of residence and discrimination in employment. An estimated 200,000 Yemenis of African descent (akhdam) are severely discriminated against.

Government policy and practice contributed to the generally free practice of religion; however, there were some restrictions. The Government prohibits proselytizing to Muslims. During the year there were reports of persons being temporarily detained for possession of religious materials with the intent to proselytize.

On March 6, 2006, President Ali Abdullah Saleh pardoned 627 supporters of the late Shiite cleric Hussein Badreddine Al Houthi. The prisoners had been accused of participating in Al Houthi's armed rebellion in northwest Yemen beginning on June 18, 2004.

6. Women and the Marginalized

Women enjoy equal political rights. However, cultural norms and religious customs discourage women's political participation. There was one woman in the 301-seat Parliament, one woman in the cabinet, and 35 women were elected to local councils in 2001. More than 40% of the electorate consists of women. However, no woman was nominated as a candidate on any of the electoral lists of any party, and only one woman, out of 37 who ran as independents, won a seat in the 2003 national elections.

Female participation in the 2006 municipal election was extremely low; less than one percent of the candidates were women. Explicit pressure was placed on female candidates within the parties to withdraw in favor of their

male colleagues. Half of all political parties did not nominate any female candidates.

In contrast, President Saleh publicly called on women to run, promising support for independent candidates from the state budget, while simultaneously appealing to male GPC candidates to withdraw in favor of female candidates and stating that 15% of the GPC's candidates would be women. The GPC failed to attain this number, however there was a marked increase in the number of female candidates following the President's speech, a fact which demonstrates the influence of political leaders in this regard. In addition, there are now two female ministers in the Yemeni cabinet.

Other challenges faced by women that impede their political participation include highly restricted social norms. For example, women could not canvass publicly or show their faces on campaign posters for fear of allegations against their morality, a powerful deterrent to women in the prevailing social context.

There are presently some 50 associations concerned with the welfare of women and the family. Women face substantial legal and cultural discrimination (as a result of Shari'a law). So–called "honor" crimes, in which women are killed by male relatives for alleged sexual deviance, receive lenient penalties. The Islamic law also discriminates against women in matters of divorce and inheritance, and prohibits married women from leaving home without prior permission from their husbands.

The press, women's rights activists, and the Ministry of Human Rights (MHR) continued to investigate or report on violations of women's rights. During the year, NGOs, in conjunction with each other and the MHR, sponsored several women's rights conferences dealing with issues such as violence against women, honor killings, and increasing the political representation of women. In May, the Women's Forum for Research and Training held a workshop on eliminating violence against women and changing discriminatory laws. From December 3 to 5, the MHR sponsored a regional conference on women's rights in the Arab world. More than 300 government and civil society representatives from all over the Middle East attended.

Women represent about 23% of the workforce, but they are largely engaged in low-level activities such as in agriculture and fisheries. To empower women, President Saleh has aggressively recruited women into most areas of government, and in 2001 appointed the country's first female

minister. The new cabinet formed in February 2006 includes two women. In 1998, the prime minister directed that in every ministry there should be at least one woman at the level of director-general.

During 2005 Jews faced some incidents of anti-Semitism. Jewish citizens reported being attacked by a number of students chanting anti-American and anti-Israel slogans. After the ruling party tried to put forward a Jewish parliamentary candidate, the General Election Committee adopted a policy barring all non-Muslims from running for parliament. The Jewish population has diminished significantly over the last 50 years from tens of thousands to a few hundred due to voluntary emigration.

The Akhdam (an estimated 2 to 5 percent of the population) were considered the lowest social class. They lived in poverty and endured persistent social discrimination. The government's Social Fund for Development provided basic services to assist the group.

Tribal violence continued to be a problem during the year, and the government's ability to control tribal elements responsible for acts of violence remained limited. Tensions over land or sovereignty in particular regions, which periodically escalated into violent confrontations, continued between the government and a few tribes.

II. Prospects for Democratic Change

The Yemen is one of the Arab countries that were most influenced by the new wave of democratization that swept the region in response to domestic and international pressures. Though the Yemeni regime has adopted the system of political plurality, this has so far changed very little in the means of devolution of power as a result of numerous restrictive laws.

Moreover, the boundary between state and the ruling party has been largely obliterated. The internal structure of all parties exhibits markedly undemocratic features. All this has discredited the whole political system in the eyes of the broad masses. Indeed the fact that 40 political parties exist, with most practically defunct, attests to the vaccuousness of the entire political process. Consequently, tribal allegiance is the decisive element in any election, a feature that will necessarily impede the creation and effectiveness of modern democratic institutions.

PART – II

ON MINORITIES

Introduction

The greatest obstacle facing minorities throughout the Arab World is the difficulty of placing their problem before the ruling elite through the normal political channels and then forcing a serious dialogue with a view to resolving the issues. This failure to get proper attention by the ruling regimes has led minorities either to abject withdrawal from public life in despair at one end of the spectrum or violent activity that might involve terrorism at the other.

The Ibn Khaldun Center for Development Studies (ICDS) has since many years been publishing, in Arabic, an Annual Report on the status of minorities in the Arab World. As of 2005, ICDS has decided to include this addendum on minorities rights to its Annual Report on Civil Society and Democratization. The purpose is to inform the international readership, including the foreign free press and other interested international individuals and institutions. It is hoped that they would help by appealing to their respective governments to use whatever diplomatic influence they have with the concerned Arab countries in order to resolve, or at least ameliorate, the problems from which their minorities are suffering.

It is of course expected that the Arab regimes might resort to mobilizing the public opinion of their domestic majority against what they will allege to be the "extravagant claims and ridiculous complaints" of only an extreme unreasonable faction of the minority, thereby casting doubt on the "true intention" of this so-called radical fringe. But this worn out tactic by the Arab governments to obfuscate the truth about the suppressed status of their minorities is no longer credible in this time and age of open skies and the global information network. Thus, the importance of continuously publicizing the truth, and of updating regularly the reports on the status of minorities in these times of rapid change.

The Copts In Egypt

The word Copt is an English word taken from the Arabic word Gibt or Gypt. After their conquest of Egypt in 641 A.D., the Arabs called the indigenous population of Egypt Agypt from the Greek word Egyptos or Egypt. The Greek word Egyptos came from the ancient Egyptian words He-Ka-Ptah or the house or temple of the spirit of God Ptah, one of the major ancient Egyptian gods. The word Copt or Coptic simply means Egyptian, however the Muslim population of Egypt call themselves Arabs. In contemporary usage, the word Copt or Coptic refers to the Christian population of Egypt.

The Coptic people are the descendants of the ancient Egyptians. Their conversion to Christianity came at the hands of Saint Mark the Evangelist who introduced Christianity into Egypt, and was the first leader of the Coptic Orthodox Church. An unbroken succession of leaders of the Coptic Orthodox Church, which started with Saint Mark, has continued to the present Pope Shenouda III—the 117th successor of Saint Mark.

The wars between the Eastern Roman Empire and The Persian Empire in the 6th and 7th centuries A.D. weakened both empires. The Muslim Arabs attacked both empires in the 7th century. After their conquest of the Eastern Roman provinces of Jordan, Syria, Lebanon, and Palestine, they invaded Egypt (in December 641 A.D), the crown jewel of the Eastern Roman Empire. At the time of the Arab conquest the population of the Copts is estimated to have been about nine million.

At first the Arab rule was relatively mild. The Arab rulers' primary interest was in exacting the maximum financial gain out of the rich land of Egypt. The Umayyad Caliph Suliman Ibn Abdel-Malek reflected this policy, in writing to his appointed ruler of Egypt "to milk the camel until it gives no more milk and until it milks blood." The Umayyads, the first dynasty of Muslim rulers, followed by the other Arab Muslim dynasties instituted a heavy poll tax *(jizya)* on the Copts. It was not until 1865 that the *jizya* tax on the Copts was abolished. Though some of the Arab rulers were moderate, most were oppressive and cruel and persecuted the Coptic population. The ultimate policy of the Muslim Arab rulers changed gradually from deriving financial gain via the *(jizya)* to Islamization efforts through incentives to reduce taxation, or by outright coercion. Arab and later the Turkish rulers of

the Ottoman Empire continued the same policy that aimed at eradicating the Coptic culture, language, leadership, and sometimes resorting to pogroms against the Coptic population.

The Arabs' oppression led to several rebellions by the Copts, but these rebellions failed to break the yoke of oppression or achieve independence. The policy of heavy taxation, pillage, and violence forced many Copts into Islam. Gradually, the number of Copts in the population dwindled, until by the early 1900s, the initial 9 million at the time of the Arab conquest had decreased to approximately 700,000.

Though persecution of the Copts by the Arabs, Mamluks and Turks was the norm rather than the exception, most of these rulers needed the knowledge of the Copts to govern the country and collect taxes. The history of the Islamic era shows a vicious cycle in which the Muslim rulers hire Copts because of their knowledge, skill and honesty to administer the affairs of the government of Egypt at which times the Copts did well and prospered, but then the Muslim rulers changed their minds concerning the "infidel" Copts, who were then summarily expelled from government jobs, had their property confiscated and became victims of all kinds of persecution. As the affairs of the government became erratic absent the Copts' skills and knowledge, the rulers would bring the Copts back again, and so on. The 400-year Ottoman rule of Egypt was one of the darkest in the country's history. It was effectively brought to an end by the French invasion of Egypt in 1798.

After the French left Egypt in 1801, an Albanian officer of the Ottoman army, Muhammad Ali, managed in 1805 to become the ruler of Egypt under the titular suzerainty of the Ottoman Empire. Muhammad Ali, the builder of modern Egypt, introduced western-style education, industry, and new crops, paying little heed to religion. He challenged the rule of the Ottoman Empire, but lost as the European powers intervened on behalf of the Ottomans. Egypt remained semi-independent under the Ottoman Empire, then from 1882 under the British Empire. During that period Egypt was ruled by the family of Muhammad Ali until 1952 when a group of army officers led a coup d'etat that ended the rule of King Farouk, the last ruler of the Muhammad Ali's dynasty, and brought Colonel Nasser and his fellow officers to power.

The Copts in the 19th and early century worked together with their Muslim compatriots to achieve independence from British rule and establish a democracy in Egypt. They participated in the revolt of 1919 against the British rule and several politically active Coptic leaders participated in the short-lived democratic parliaments in the early-to-mid-20th century.

Egypt gained full independence from the British in 1954. It seemed then that the joint Muslim-Coptic struggle for liberation would have strengthened the bonds between Copts and Muslims. But it was not to be. The major factor that prevented this bonding had already appeared on the scene some 22 years earlier, when a militant fundamentalist Islamic movement called the Muslim Brothers was initiated in 1928. This movement espoused a conservative interpretation of Islam, and many of its members espoused violence against the Copts.

Nasser's ascension to power ushered a period of a so-called "Arab Socialism," in which the regime nationalized most of the private enterprises. This hit the Copts particularly hard since many of them were in the private sector. The economic pressures and the entrenched discrimination against the Copts, fuelled by the ascending power of the Muslim Brothers, led to their large-scale immigration to the USA, Canada, and Australia in the 1960s and continuing thereafter until the present.

Although Egypt has often witnessed confessional tensions involving attacks against Copts, such incidents were never as intense and widespread as they have been since the early 1970s. Since then, the cleavage between Muslims and Copts became very salient among wide segments of the population. Several socio-economic and political factors account for this.

But one of the major underlying causes is the existence of a certain measure of hostility, with roots deep in the past, harbored by significant sections of the Muslim community against the Copts, as a result of the tendency to perceive them mainly from a religious perspective from which they tend to be seen as infidels. The failure of the government to take adequate measures to suppress the expression of such hostile feelings on the part of certain groups has tended to augment and encourage their spread within society, particularly given the current strong wave of Islamic resurgence.

The persistence of Egypt's sectarian problem is ultimately attributable to the fact that in modernizing, the Egyptian state, instead of resolving the conflict between political power and traditional religion in favor of a secular order, has opted for a hybrid formula in which a formal civic law was maintained but politics was given a strong Islamic cast which, in effect, unified it with religion. Consequently, the state's politics in Egypt have never been free of a marked Islamic color, except in moments of national crisis that call for national unity. The example, par excellence, of such periods were the years 1919-1952, when the mobilization of the whole of the

nation's social forces was required behind the national leadership in its effort to rid the country of the British occupier. In this period, the religious element in Egyptian politics was subsumed to a considerable extent under the more general banner of national patriotism. This was, indeed, the golden age for the Copts. During that period their complaints were at a minimum, though, as we shall show, they remained at all times the target of an institutionalized state discrimination.

While state discriminatory practices against the Copts—particularly with regard to jobs in the higher offices of government, and the building of churches—had existed under Nasser, there was little sectarian strife or tension during his rule. This was due to the full-fledged authoritarianism of the regime and the fear which it inspired in most citizens. Politics then had become the exclusive right of the regime, which demanded from the people not democratic political involvement but simply popular support for its policies. Thus, under Nasser both Muslims and Copts left politics to the state. Although the state-orchestrated participation during that period (1952-1970) reflected the same discriminatory practices, it mattered little since one cannot speak meaningfully of political participation of either Muslims or Copts under Nasser's regime.

While Nasser was not above using Islam to legitimize his policies, it may nevertheless be said that his regime put little stress on religion, since the state's major policy at the time was sharply directed towards promoting a pan-Arab nationalism, which necessarily sought to include all the indigenous Christians within the Arab world. However, the 1967 defeat at the hands of Israel stunned all Egyptians, causing a return to the preoccupation with religion, which has characterized Egyptian society up to the present.

Sadat's manipulation of religion and Islamic groups as a means to combat his political opponents from the left (Marxists and Nasserists) not only encouraged and strengthened the fundamentalist groups which were previously suppressed under Nasser but also gave his regime a strong Islamic stamp which greatly raised the anxiety of the Copts. The rapidly increasing power of the Islamists during the 1970s brought with it a corresponding increase of violence against the Copts.

Following Sadat's assassination (which underlined the danger of the Islamic militants), the violence continued unabated. The government of course did not condone such acts, but in the face of the rising power of the fundamentalists it consistently chose to tolerate them rather than aggravate the Islamists by taking effective measures to apprehend and punish the

culprits. All such incidents, despite their obvious pattern, were explained away by the government as merely conflicts over matters of personal interests that are not communal in nature. It was not till the militant Islamic groups, in an effort to destabilize the regime, expanded the scope of their targets in the 1990s to include tourists, state institutions and top government officials, that the state finally took serious steps to stamp out this violence, and admitted that the Copts were indeed also a targeted category.

Since then, the government and many intellectuals have never ceased to raise the specter of a sectarian conflict that may tear apart the social fabric. In fact the possibility of widespread mutual violence is inconceivable in view of demographic and cultural reasons, which make any organized militant response by the Copts, even if only of a very limited nature, tantamount to suicide. Indeed, it would almost certainly (through easy manipulation) provoke a massive and bloody retaliatory attack against them across the whole country. It is for this reason that the numerous and continuous incidents of violence perpetrated by Muslim extremists against the Copts (including attacks on their property and churches) have not provoked one single retaliatory response in kind. Given such remarkable passivity on the part of the Copts, one must conclude that the persistence of the ruling elite — and a few secular intellectuals — to speak of the fictional dangers of a possible conflagration of communal conflict on the Lebanese model, must be intended merely as an attempt to inhibit the increasing popularity of the Islamic fundamentalist groups.

The rising tide of Islamic fervor since the early 1970s poses a serious problem for the Copts. The general call for implementation of Shari'a puts in question their position as citizens of equal standing to Muslims. Such a step is seen by the Copts as potentially providing a blanket cover for possible hostile legislation and measures against them. For instance, adoption of Shari'a would prohibit the *wellaya* (leadership) of a Copt over Muslims, although the level of leadership to which this applies is in some dispute. But all Islamic religious scholars are agreed that judgeship constitutes *wellaya* and challenge the right of Christian judges to make rulings over Muslims. Under Shari'a a case may also be made for imposing restrictions relating to a Copt's testimony in court, and perhaps also extending constraints to other aspects of a Copt's status as an equal citizen. Already in personal status cases, court rulings are sometimes coached in language which stresses the supremacy of Islamic law and the lowliness of the Christian religion.

In the 1980s, the resurgence of the militant fundamentalist Islamic

movement resurgence was accompanied by renewed and escalated assaults on the Copts in Egypt, The militants instigated several violent episodes against the Copts (and western tourists) in which they attacked, sacked and burned churches and Coptic businesses.

In the 1990s attacks escalated, and also included the abduction of young Coptic girls who were forced to convert to Islam. In the early days of the year 2000, a pogrom was initiated by the militants Islamic groups resulted in the murder of about 21 Copts, and the destruction of many Coptic homes, businesses and a Church in the village of Al Kosheh in Southern Egypt. Similar incidents continued to occur during 2001 and 2002. In none of these cases was any Muslim tried and convicted for these crimes against the Copts. By 2003, this wave of violence had abated when the state finally managed to crush there militant groups.

The Dimensions of State Discrimination Against the Copts

The Egyptian Constitution, as set in writing, is irreproachable with regard to the rights of minorities. It advocates the principles of freedom of religion and belief (article 46) and "non-discrimination among citizens on grounds of sex, origin, language, religion or belief" (article 40). But in practice these constitutional guarantees are openly disregarded by the state. Indeed, the Copts, historically, have been discriminated against, both in legislated law and by customary state practices. The state's repeated references to the equality of all citizens, under the Constitution, is thus of little comfort to the Copts, who correctly perceive that equal words in constitutional law are allowed to disguise a deliberate pattern of discriminatory administration.

The disregard of the minority's rights to religious freedom and to full equality under the law with their Muslim compatriots is not inconsequential. By maintaining laws that discriminate against the Copts, the state has perpetuated a prejudice against them within society. The disingenuousness of many Muslim intellectuals (and some Copts too) who claim to be staunch advocates of democracy and national unity is revealed by their persistence not to call things by their right name, referring always to the current discrimination—when they fail to evade the issue altogether—as the "Copts' worries" (*hemum al-Aqbat*).

The most striking example of legal discrimination is the law—known as the Hamayonic Decree—which governs the building, the renovation, and all repairs in churches. It is designed to severely limit the construction of new

churches or the restoration of existing ones. A formidable array of bureaucratic hurdles that eventually culminate in a presidential decree is required even for minor repairs such as that of a toilet; only lately the authority for repairs has been delegated to the Governors. The Decree enables the state to obstruct for indefinite periods maintenance of churches or the building of new ones. But even the presidential approval is not the end of the road for the renovation or the construction of a church. Local authorities and the state Security Bureau are empowered to withhold the go-ahead if they deem the work constitutes a "threat to the security of the state." Interestingly, and rather ironically, the Hamayonic Decree, which dates back to 1854 when Egypt was still part of the Ottoman empire, remained since its inception a loose ambiguous injunction until it was firmly codified in its current highly restrictive form in 1937 — i.e. during the so-called liberal period which is considered by all to have been the "golden age" for the Copts.

In step with the increasing Islamic fundamentalism since the mid-1970s, an overt fanatical spirit is exhibited by many Muslims in all walks of life. So pervasive has this attitude become that it is very rare to find a place devoid of it, whether in the public or private sectors or in government institutions. Indeed it is impossible not to notice that the current resurgence of Islamic sentiments is accompanied by a diffused feeling of hostility towards Christians among broad sectors of society. Discriminatory behavior against them sometimes takes the form of blatant public abuse. Newspapers often carry articles demeaning the Copts and Christianity in general; fundamentalists explicitly denounce Christians in widely distributed books, pamphlets and cassette tapes and in Friday sermons in numerous mosques. In numerous mosques all over the country, are regularly castigating the infidel Copts in their Friday sermons.

Similar sentiments are also sometimes openly aired —albeit in veiled and implicit terms— on the state-owned broadcasting media. Television is flooded with Islamic programs, without a single one for Christians. Such silence on the part of the state is naturally, infused with a meaning highly detrimental to the Copts and their human rights as citizens. Thus, both the state's official language, which is strongly saturated with Islamic symbols, as well as its silences, has come to acquire new and unfortunate meanings in society. The importance of this point resides in the fact that the state's discourse, and what it stands for, is distinguished not only by what it says, and the context in which it is said, but also by what it leaves unsaid.

State discrimination has extended also to the general field of cultural and literary activities. While Muslim organizations and individuals are allowed to flood the market with books and newspapers, which openly attack Christian beliefs and values, the occasional Coptic defensive responses are carefully scrutinized and censored.

While almost all Muslims, including the so-called "enlightened" or "moderate" Islamists, oppose any violence against the Copts, they close their eyes to the customary as well as to the institutionalized discriminatory practices of the state, denying that any such widespread oppression exists. The prevalence of discriminatory practices against the Copts, particularly regarding job opportunities, coupled with the wave of Islamization that swept over Egyptian society since the early 1970s, has encouraged them to emigrate in significant numbers. Indeed the flow of Coptic emigrants over the last three decades developed into a torrent constituted mainly of young professionals and college graduates who represent the vibrant core of the middle class.

Copts had previously believed that the discrimination against them would inevitably be expunged by the progress of modernization, integrating them on an equal basis with Muslims into the mainstream of Egyptian politics. But developments in Egypt since the early 1970s took another direction. With the continuously increasing interjection of Islamic religious principles and sentiments into the general political discourse, and with all parties falling prey to the temptation to use this potent rhetoric that can be readily understood and responded to by the masses, the Copts have become almost totally estranged from the polity. Consequently, their participation and power in the political domain has declined to the point of nonexistence. At present there are very few of them willing to face the perils of political participation, let alone of leadership.

The general social bias against Copts manifests itself clearly during elections. Political parties rarely run more than one or two Copts at most in any national election, and this usually for form's sake. Even the regime's dominant party (NDP)—which in every national election captures at least 80% of the parliamentary seats—seldom nominates on its ticket more than one or two Copts, and in the last (2005) elections it nominated only one, who is a cabinet minister.

Although the freedom to proselytize and convert to another religion is an essential component of any meaningful measure of religious freedom, these two rights are dealt with by the state in a discriminatory manner. While

proselytizing is encouraged for Muslims (*nashr al-da'wa*) it is strictly denied to non-Muslims. In fact, it is prohibited in Egypt to preach in public any religion other than Islam. On the other hand, while Copts are welcome to convert to Islam, Muslims are strictly prohibited from converting to Christianity. A Muslim converting to Christianity would, if Shari'a was strictly applied (which so far has not been done), incur the death penalty. Under current Egyptian law, however, a Muslim renouncing Islam would immediately forfeit his right to enter into any contract, including that of marriage; in addition, he loses all inheritance rights from Muslim relatives.

Future Prospects of the Copts

The persistence of the religious cleavage in Egypt strongly suggests that primordial ties have not weakened with time and that the integration of minorities (whether religious or ethnic) is as difficult to achieve in Egypt as it is in other multi-communal societies.

Although we speak here of a Muslim and a Coptic community, it is essential to remember that they are not mutually exclusive categories. The boundaries between them are amorphous, sharing as they do a huge number of common identities as well as a large and long-lasting historical legacy. In spite of this, and though religious communities per se need not conflict, the case of Egypt's Copts supports the hypothesis that when religion is taken as an ideology by the majority it cannot but be hostile to a minority that refuses to be assimilated within the community of believers which the majority seeks to make out of the whole society.

Without intending to minimize the communal problem in Egypt, it must be noted that the presence of a broad overarching common identity and shared values and language between Muslims and Copts militates against the most serious aspects of societal cleavage and gives hope that Egypt's communal conflict may yet be managed successfully. Until then the firmly entrenched and institutionalized state discrimination against the Copts continues to belie the regime's commitment to basic human rights, to say nothing of democratic principles. Moreover, the reluctance of the state as well as the general public to openly recognize the distinctly second class status of the Copts highlights the impoverishment of the rhetoric about national unity that is claimed to be of crucial importance to the cohesion and stability of Egyptian society.

If the situation is to improve, then Muslim-Coptic relations should be viewed with realism. To date, however, both the state and the Muslim

community at large have avoided this; consequently, rhetoric aside, the problem of the Copts within the national and political community remains unresolved on both the practical and the theoretical levels.

The Berbers

The Berbers are a people who live all along North Africa, from Morocco's west coast to the oasis of Siwa in Egypt, from Tunisia's north tip to the oases in mid-Sahara. They often live in the mountains and in smaller settlements. The Berbers comprise a clear majority of the population of North Africa in terms of race, but in terms of identity, a considerable minority. It is essential to understand this difference between race and identity in order to grasp the meaning of being Berber. The influx of Arabs in North Africa has been far too insignificant throughout history to justify those large numbers of people now claiming to be Arabs. And the influx of other peoples in North Africa has not been of any significance since the Vandals in the 5th century.

The Berbers live in Libya, Morocco and Tunisia but their greatest numbers and most significant political weight is in Algeria. The Berbers of Algeria, who are of non-Arab ethnic descent, represent some 40% of the population. They were the original inhabitants of the country until its conquest by the Muslim Arabs in the ninth century which led to the conversion of the Berbers to Islam.

In terms of race, Berbers represent 80% of the population in Morocco and Algeria, more than 60% in Tunisia and Libya and 2% in Egypt, making up more than 50 million people. In addition there are about 4 million Berbers living in Europe, primarily in France.

But as the Arabization has swept away the indigenous language from many regions and, along with it, the Berber identity, many people with Berber ancestry, are now claiming to be Arabs. In terms of identity, Berbers represent 40% of all Moroccans, 30% of all Algerians, of all Tunisians, 10% of all Libyans and 0.5% of all Egyptians, making up more than 20 million people. An estimated half of the ethnic Berbers living in Europe regard themselves as Berbers, making up 2 million.

The origin of Berbers is not certain either, some believe they may have come from Europe, but it is safest to consider the Berbers as the original population of North Africa.

There are around 300 local dialects among the Berbers. Berbers are Muslims, but there are many variations of traditional practices found among them. Since Berbers typically outnumber Arabs in the mountains and in rural areas, traditional practices tend to predominate there. The conversion of Berbers to Islam took centuries and in many areas Islam was not dominant

until the 16th century. This has resulted in Berber Islam being somewhat atypical in its incorporation of traditional beliefs, preserving many traces of former religious practice.

Of major cities in North Africa, only Marrakesh has a population with a Berber identity. The Berber dominance in the mountains can be traced to the days of Arab conquest, when the Arabs took control over the cities, but left the countryside to itself, the number of Arabs being too small for a more profound occupation. Berbers in those days had the choice between living in the mountains, resisting Arab dominance, or moving into the Arab community, where Arab language and culture were dominant.

Until a few years ago, being Berber was considered to be second class (like in many societies in the West: Indians in America, Aboriginals in Australia, Lapps in Norway). For example, in the most modernized society in North Africa, Tunisia, being Berber has been (and still is to some extent) synonymous with being an illiterate peasant dressed in traditional garments. As with other indigenous peoples in the world, Berbers are now protesting against the undervaluation of their culture and identity, and specifically about the absence of a written language and the lack of political influence. This has been most clear in Algeria but also quite evident in Morocco. In Algeria the situation has been so tense, especially through the 1990's that foreign commentators have speculated about the prospects for a civil war and a partition of the country. Algerian Berbers are often unfamiliar with Arabic and use French as a second language. Arabs in Algeria and Morocco object very much to the blossoming of Berber identity in their countries, but so far there has been little aggression between the two groups.

1. The Berbers in Algeria

At present 25% of Algerians speak the Amazigh Berber language or any one of its 10 dialects. The problem for this significant ethnic minority arose as a result of the central governments attempts to Arabize the Berbers and marginalize their language and culture. Indeed the Algerian Constitution has accentuated the problem of the Berbers by stating specifically that "Algeria is a land of Islam, an Arab land, and an intrinsic part of the Greater West Arab region, and takes pride in its 1954 Revolution." In 1996, the failure of the Berhers to gain official recognition for their language and culture led them to organise a nation-wide strike, which lasted for nine months and finally forced the government to grant the Berbers much of their demands. Nevertheless, since then sporadic violence has erupted from time to time

between the Berbers and the government security forces in the Berber tribal regions. Despite significant government concessions, the Berbers continue to complain of marginalization in the governments' development plans, the imprisonment of some of their leaders, and of insufficient recognition of their culture and language. As part of Berber pressure, their main political parties boycotted the last presidential elections. In January of 2005, the government announced a deal with Berber leaders promising investment in the Kabylie region as well as greater if not official recognition of the Amazigh language. The deal came in response to a list of demands that Berber leaders presented after a spell of anti-government violence in 2001. According to observers the agreement has not been hammered out in detail and consequently may take years to implement.

Also an accord reached between the government and the Arouch (Berber) Movement led to special regional elections in November 2005 that addressed under representation of Kabylie interests in regional and municipal assemblies. The accord was followed by the formation of a join committees compose of government and the Arouch representatives in order to follow up with the implementation of the Berbers' demands pronounced during the signing of the accord.

In the latest round up municipal elections (2005) held in Berber areas voter turnout reached 32%, and both the Berber-leaning Socialist Forces Front (FFS) and the Culture and Democracy Rally sized most of the contested seats of the local councils.

During the year 2005 the government increased access for print and broadcast media for Amazigh (Berber language) and Amazigh culture, building on advances made in 2004. In addition, Amazigh programming increased on the non-Berber channels, as well as advertisements in Amazigh on all television and radio channels. In September 2005, the province of Bouira welcomed the first national book fair in Berber districts.

2. The Berbers in Libya

The Berbers are a minority in Libya and continue to suffer overt discrimination. Public display of their culture is prohibited nor is it permitted to use Berber names in registering birth certificates or in any other official document. Law No. 24 of 2000, seemingly with an eye on the Berbers, has also banned the use of any language other than Arabic. But in November 2004 permission was granted to form an association that would study and disseminate the history and culture of the Libyan Berbers.

The most important developments that have taken place during the year 2005 was the meeting between President Mu'ammar al-Qadhafi and the the head of the Amazigh International Congress; an organization that claims to represent Berbers everywhere and that remains unrecognized by all North African states. Most observers perceived this event as a positive step towards reconciliation between the Libyan regime and the Berbers.

In late August, the Chairman of the Qadhafi International Foundation for Charity Association, Seif al-Islam al-Qadhafi, paid a visit to the province of Yefren and publicly declared his support of the Berbers' cultural demands. He also described the current Law No. 24 that prohibits the use of languages other that Arabic as biased and meaningless. He also asked the Berbers to proclaim that that Seif al-Islam himself is an Amazigh in case they faced any harassment, Since then, the relationship between the Berbers and the government started to ease off and the Berbers for the first time were allowed to use their language and practice their cultural in a more open manner.

3. The Berbers in Morocco

The Berbers in Morocco live in the southern part of the country, in and around the high Atlas Mountains. Traditionally, Morocco's Berbers were a nomadic people, inhabiting rural areas in the mountains and deserts, where they raised livestock. With the introduction of electricity however, the Berbers have become more sedentary. The Berbers are comprised of various ethnic groups, each with different customs, lifestyles and dialects.

Approximately 60% of the Moroccan population are Berbers (known also as the Amazigh) or partially of Berber descent, including the Royal Family. Berbers claim that their culture and language are not accorded proper recognition, and that the activities of their associations are restricted by the authorities. Although in September 2003, the teaching of the Berber language was commenced in 317 primary and secondary schools, and a Royal Institute for the Amazigh culture was established, yet Berbers complain that the government continues to discriminate against them, including efforts to Arabize the name of their villages and towns.

The year 2005 did not witness any major development with respect to the Amazighs' rights; the government still imposes stern restrictions on their freedom to practice their culture and languages. During the year 2005 a number of Amazigh publications were confiscated by the government.

The Kurds

An old Kurdish proverb states that "The Kurds have no friends except the mountains." This proverb springs from the historical fact that despite being a distinct ethnic group of over 22 million people who have lived in their own territory for millennia and who speak their own distinct language the Kurds have never achieved a state of their own. Any important role they may have played in the troubled history of the Middle East was as individuals and tribes, not as a unified nation. It is thought that the Kurds are an ancient Iranian tribe that migrated westward from the Iranian plateau to the area they now inhabit some 4,000 years ago.

For many centuries the Kurds were part of the Persian Empire in its various manifestations. The ethnic term "Kurd" was first applied to them at the beginning of the Arab period. They gradually converted to Islam following the Arab conquest of their territory in the 7th and 8th centuries. The Kurds were known as a warlike and nomadic tribal people, famous for their fighting capabilities and they were valued mercenaries in the armies of the regional Powers. They also became pawns in the struggles between the various centers of power of the time.

The greatest Kurdish hero of all times was Salah ad-Din (Saladin). He began his career as a Kurdish officer in the army of a Seljuk Turkish prince and later became the Sultan of Egypt and Syria and the founder of the Ayyubid Dynasty. He is famous all over the Muslim world for his victory over the Crusaders and for liberating Jerusalem.

The decline of the Ottoman Empire in the nineteenth century aroused nationalist aspirations and movements amongst its many minority groups.

The idea of a Kurdish nation developed first amongst the urban elite.

A weakness of the Kurdish national movement has been the continued tribal, territorial and ideological feuds between the various factions. Each party chief has his own organizational setup and acts like an autonomous tribal leader controlling his troops within the larger framework of the Peshmergas. Lack of unity has been a weakness of the Kurdish national movement, leading to fragmentation and to inter-Kurdish fighting that enables the central government to play off the factions against each other.

The Kurds live concentrated in a defined geographic area the eastern Taurus and the Zagros mountain ranges. Seven states meet in and near that area: Turkey, Iran, Iraq, Syria, Georgia, Armenia and Azerbaijan. In this

highland area called Kurdistan they have lived for thousands of years.

Today there are over 22 million Kurds in Turkey, 5 million in Iran, 4 million in Iraq, 1.5 to 2 million in Syria, 0.6 million in western Europe, 0.25 million in the former USSR, and smaller communities in Lebanon and Jordan.

Most Kurds are Sunni Muslims of the Shafi'i school; a minority belongs to various Shi'a groups. Many of both groups belong to Sufi orders.

Being a minority in all the states they live in, they are viewed as a threat to national unity. In this century especially, Kurds have often rebelled in an effort to establish local autonomy only to be defeated again and again.

Turkey, Iran and Iraq, the states with the largest Kurdish populations, have all followed policies of forced resettlement and cultural repression towards their Kurdish citizens.

The Gulf war and its aftermath have brought the plight of the Kurds forcibly to the attention of the world media. Although they are the largest ethnic group in the world without a state of their own, they have been largely ignored by politicians, whilst often subjected to brutal oppression in the various states they live in.

1. The Kurds in Iraq

Iraq gained its independence in 1932. The promise of local autonomy given by Britain to the Kurds was not honored by the new Iraqi Arab State. This caused the first Kurdish revolt, which Britain helped to quell.

The overthrow of the monarchy in 1958 brought hope of a new deal for the Kurds. The new constitution stated that Arabs and Kurds were partners with recognised national rights.

By 1961 however it was clear that the government was not serious in its commitment to grant Kurdish autonomy. Fighting broke out again in September 1961 and this cycle continued throughout the sixties and seventies as new regimes rose to power in Baghdad. They would usually at first negotiate with the Kurds, and once established would attack them in an effort to suppress Kurdish nationalism.

In 1970, however, a new agreement was signed with the Ba'ath regime recognising the legitimacy of the Kurdish nationality and granting the Kurds limited autonomy. This was not fully implemented, mainly because the Kurds claimed the oil rich city of Kirkuk. This led the government to begin a campaign, which aimed at changing the ethnic balance in Kirkuk and several other traditionally Kurdish districts.

Several nationalist Kurdish parties emerged over time in various states, functioning somewhat independently of each other. The main parties are The Kurdish Democratic Party (the KDP, today is led by Massoud Barzani in Iraq) and The Patriotic Union of Kurdistan (PUK, now led by Jalal Talabani, also in Iraq). The most extreme is the Marxist Kurdish Workers Party (PKK) which is based in Syria and has been involved in terrorist attacks within Turkey. These parties operated underground or openly according to circumstances, and their coalition, which is known as the Kurdish Front, controls the Kurdish freedom fighters, the Peshmergas (those who sacrifice themselves). For many years the acknowledged Kurdish leader was the famous Mullah Mustafa Barzani.

In 1976 Jalal Talabani founded the Patriotic Union of Kurdistan (PUK). The KDP and PUK often fought each other for hegemony of the Kurdish nationalist movement, but by the mid eighties, they succeeded in establishing a belt of Kurdish controlled land in northern Iraq.

When Saddam Hussein came to power, he perceived the Kurds as a threat to the hegemony of his central government and resorted to ethnic cleansing and genocide. In 1987 Saddam mounted a special campaign, code named al-Anfal, to subdue the Kurds once and for all. His forces sprayed Kurdish villages with chemicals, the climax being the poison gas attack on Halabja in 1988 in which 5,000 Kurds were killed. The Iraqi army razed at least 4000 Kurdish villages and it is reckoned that at least 150,000 Kurdish men, women and children were massacred during that time and 250,000 refugees fled to Iran and Turkey.

Immediately after the ceasefire on March 2, 1991, the dissident Shi'a Arabs in the south rebelled. The Kurds in the north took advantage of the situation and also rebelled thinking they had a chance of finally realizing their dream of an autonomous Kurdistan with the aid of the allies. Within three weeks all the Kurdish area was in revolt, the towns of Ranya, Sulemaniye, Arbil, Dahuk, Aqra, and Kirkuk were under Kurdish control, and the province of Mosul was under siege. The allies however held back and this allowed Saddam Hussein to gather his Republican Guard, march back into the territory so recently captured by the Kurds, and within a week retake all the territory Saddam's forces massacred the Kurds leading to the mass flight of 1.5 million Kurdish refugees into the mountain passes towards Turkey and Iran.

Iran accepted the Kurdish refugees, but Turkey refused them entrance. Refugees on the Turkish border were stranded on mountainsides exposed to

the winter weather, and because trucks could not reach them there was a desperate lack of food and materials to build shelter. Turkey allowed foreign journalists into the area, and the world watched, aghast, as thousands of Kurds died.

Western government responded by dispatching supplies through Turkey and by direct airdrops to the refugees. Turkey's President, Turgut Ozal, proposed that the United Nations take over territory in northern Iraq and establish a safe haven for the Kurds at a European Community meeting in Luxembourg, Britain's Prime Minister John Major presented a proposal for a UN-protected Kurdish enclave; the plan was endorsed by the other European leaders, and about a week later was endorsed by the United States as well.

Operation Provide Comfort is the name given to the 1991 implementation by the United States and its Gulf War allies of a safe haven for Kurds under the Operation Provide Comfort umbrella allied western troops on the ground persuaded the Kurds to descend from the mountains into the plains, where camps were set up with relief supplies as an added inducement. Allied troops were also sent into Dahuk, to maintain a presence so that the Kurdish refugees who had fled that area would go back to their homes. And the area of Iraq above the 36th parallel, which includes Arbil, Mosul, Zakho, and Dahuk, was declared a no-fly zone: Any Iraqi planes flying above the parallel would be subject to reprisal.

By July, the System had been established, and the western troops withdrew from Iraq to bases in Silopi, just across the Turkish border, leaving a small staff, the Military Coordination Center in Zakho, to oversee the Continuing relief effort and to act as a stabilizing force. The no-fly zone was regularly patrolled by aircraft from the United States, Great Britain, France, and Turkey.

Operation Provide Comfort was not the only source of help for the Kurds. There were several other relief programs supported by different countries and agencies, and a number of initiatives aimed at strengthening opposition to the Iraqi government and Saddam Hussein. Since then and up to the present the Kurds have established in Kurdistan a virtually autonomous state, complete with its own government, armed militia and all the other trappings of a sovereign state, though it stopped short of declaring session, demanding only a federal Iraqi system that would allow them a large measure of autonomy.

2. The Kurds in Syria

There has always been a Kurdish belt in northeast Syria. As a result of

Turkish repression in the 1920s and 1930s many Turkish Kurds migrated to Syria for safety. Syria encouraged extremist Kurdish groups in their terrorist activities in neighboring Turkey but it firmly suppressed its own Kurdish population. Arabization was enforced, and there was a large population transfer of Kurds from the border areas into the interior; their confiscated lands were given to the new Arab settlers. Kurdish books and music were forbidden and Kurds still suffer from constant surveillance by the security forces.

The number of the Kurds in Syria, is estimated to be between 1.5 and 2 million, representing about 10% of the population, plus some 280,000 Kurds who are denied citizenship by the Syria government and treated as refugees with little if any civil rights or rights to public services. The Kurds live in many Syrian cities but their main concentrations are along the Syrian borders with Iraq and Turkey. The Kurds in Syria have been much less active politically than their compatriots in Iran and Iraq. This no doubt is partly due to the sanctuary given by the Syrian regime, over the last decades, to Kurds fleeing Turkish forces across the border between the two countries. This Syrian policy attenuated the level of political conflict between the Syrian Kurds and their government and fostered a quiescent attitude among the Kurds, who tended to accept their lot as second class citizens, resorting now and then to only peaceful demonstration in demand for more equitable treatment. But things began to change in 2002 and particularly in 2003. The high profile assumed by the Kurds in Iraq after the fall of Saddam created a demonstration effect which encouraged the Syrian Kurds to be more vocal and assertive in their demands for justice. To this the Syrian government tended to respond with increased repression, using force to disperse peaceful demonstrations and arresting its leaders, and, in February 2003, bringing some to trial in front of state security courts, claiming that the Kurdish actions threatened national security.

In March 2003, Syrian forces broke into university student dorms and arrested 5 Kurdish activists. On March 13, 2004 security forces brutally crushed a Kurdish demonstration killing 25 according to official figures and 600 according to Kurdish spokesmen. On March 21 2004, police and security prevented Kurds living in Aleppo from celebrating their New Year and arrested 40 Kurds the following day for celebrating. In June 2004, the government banned all political activity by any of the 12 Syrian Kurdish parties, though enforcement has varied in its intensity. In protest against continued discrimination Kurdish parties united in boycotting the local

elections held on June 21, 2004 claiming that in all cases these elections, like the previous parliamentary ones, were a foregone outcome for the Baath party and lacked even the bare modicum of a free and fair democratic process.

Among serious Kurdish complaints is that the Syrian authorities are conducting a continuous campaign to marginalize and suppress all expressions of Kurdish culture, and is imposing a forced Arabization program to expunge the Kurdish language.

Thus, all Kurdish language publications are suppressed and journalists who write in favor of Kurdish rights are arrested. It seems clear that developments in Iraq have spurred the Kurds of Syria to mount a concerted effort in defense of their rights as Syrian citizens entitled to equal treatment with other ethnic groups. Indeed, they now speak in imitation of Iraqi Kurds, of "Syrian Kurdistan" and "Western Kurdistan." The international community has recognized the plight of the Syrian Kurds and has provided moral and political support.

In September 2005, several arrests were made after violent clashes between the police and supporters of the PKK. A prominent Syrian Kurdish cleric, Muhammad Mashuq alKhaznawj, was kidnapped during a trip to Damascus and later found dead – believed to have been murdered by Syrian intelligence agents – during a subsequent protest in Qamishli by more than 5,000 Kurds, the protest escalated when looters, supposedly local Arabs, pillaged more than 80 Kurdish shops; the police intervened and scores of Kurds were attacked and 60 were arrested, including women and children. In September 2005, police beat a Syrian Kurdish woman to death when she tried to stop them from illegally demolishing homes in a poor, primarily Kurdish neighborhood outside of Damascus. On March 30, 200 Kurds accused of involvement in the March 2004 riots were pardoned.

Minorities in South Sudan & Darfur

Two major areas and their peoples have been, for years, marginalized by the central government in Khartoum: The peoples in South Sudan, and in Darfur (in West Sudan). The demographic structure of the Sudan is one of the most fragmented in the world. It comprises 597 tribal communities that speak 150 languages and dialects. Of these the inhabitants of two major regions have suffered from marginalization, discrimination and neglect by the Central Government in Khartoum: (a) The inhabitants of Southern Sudan; and (b) The peoples of Darfur in Western Sudan.

1. The People of South Sudan

The South and North are distinct ethnic groups that have entirely different social, religious and linguistic cultures. The South is clearly African while the North is Arab.

Southern Sudan is inhabited by three major tribal groups. The first is the Nile Group which comprises three tribes: the Dinka tribe (3 million) is which the largest ethnic group in the Sudan; the Nuer tribe which resides in the upper region of the river Nile and extends into Ethiopia; and the Shalak tribe, which is the smallest of the three and is settled along the western bank of the White Nile from Kaka in the north to lake Noo in the South. The second group is the Hametic Nile Group, which includes the tribes of Ban, Mendari, Tubasca, and Turkala. The third is the Sudan Group, and its major tribe is the Zandi, which is settled on the west bank of the Nile along the South and South-West borders of the Sudan.

The civil unrest in the South actually began prior to Sudan's independence from British/Egyptian rule in 1956. With the advent of independence under the first civil government of Ismail El-Azhari, the people of South Sudan anticipated more equitable treatment. But this was not to be. Successive Sudanese governments attempted to resolve the unrest in the South by forced assimilation of its African ethnic minorities through persistent attempts to Arabize the population and impose Islamic Shari'a. The South resisted then took up arms. Since then, and for the last 47 years, the people of South Sudan have been engaged in a protracted war with the Central Government in Khartoum, which claimed to date more than half a million lives. Arab/Muslim religious extremism and intolerance of the Basheer/Tourabi government (since 1989) continue to fuel the war, though

by years end there was significant international mediation and pressure on both sides which eventually led to cessation of hostilities and the conclusion of a comprehensive Peace Agreement.

Societal violence occurred after the death of First Vice President John Garang on July 30. Riots erupted in Khartoum and Juba, resulting in several deaths and injuries. Credible sources indicated that in the immediate aftermath of Garang's death southerners attacked and killed northerners in the capital. In retaliation, northern vigilante groups harassed, beat, and killed at least 100 southerners. Credible sources indicated the complicity of the police and army in retaliation against southerners.

2. The People of Darfur

The people of Darfur suffered, as did those in the South of Sudan, from neglect and marginalization by the central government in Khartoum. Their living conditions declined further from harsh climatic conditions that caused desertification, destruction of livestock, and famines. The successive military regimes in the Sudan since its independence have never ceased to launch campaigns to Arabize the people of Darfur who, though mainly Muslim, are not Arabs, but derive ethnically from African tribes. This combination of governmental repression and abysmal living conditions drove the tribes of Darfour to revolt. The government responded with a wide military campaign to quell the insurrection and so an armed conflict ensued in which the Sudanese army and marauding government-supported Arab militiamen – known as *janjaweed* – committed serious abuses and crimes against the people of Darfur including the razing of numerous villages. At year's end international efforts were being made to force the Sudanese government to desist in order to avoid a human disaster on genocidal scale. Now there are as many as 12 different groups of the *janjaweed* struggling among themselves over control of the large refugee camps.

Throughout the year government armed forces and allied *janjaweed* militia engaged in large-scale attacks during the year, killing hundreds of civilians, razing villages of African tribes, and committing acts of torture and violence against women. For example, on April 7, approximately one thousand heavily armed men on camels and horses along with the six Land Cruisers belonging to the government army attacked the village of Salloquoia. 22 men and women were killed, and women were raped. On July 24, approximately 40 government soldiers attacked an IDP camp in Shangil Tobaya. The soldiers continued to shoot civilians and burned approximately

130 houses. The attack left 5 people dead and 17 injured.

In the last quarter of 2006 mounted a series of attacks on aid organizations in Darfur. The first such attack was on September 11, 2006 against aid workers of Medecins Sans Frontieres; on December 8, 2006 the Red Cross compound in Kutum in northern Darfur was attacked; followed on December 18, by an attack on the compounds of Oxfam and the Action Contre la Faim. The cost so far in human lives and suffering is 200,000 Africans killed and a third of Darfur's six million strong population driven to flee their homes.

The UN's International Commission of Inquiry in Darfur found that "rape or other forms of sexual violence committed by the Janjaweed and government soldiers in Darfur was widespread and systematic."

The government in Khartoum claims that it is cooperating with international aid agencies, yet in fact workers of these NGOs are frequently denied visas and travel permits and supplies are held up in customs. While the African Union maintains a peacekeeping force in the region, it is largely ineffective. The international community has stressed the need for a multinational UN peacekeeping force in Darfur, but as of the end of 2006, the Sudanese government continued to reject this proposal on the grounds that it would constitute a violation of Sudanese sovereignty.